

ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-sixth Legislature - First Regular Session

## CAUCUS AGENDA

February 27, 2023

Bill Number	Short Title	Committee	Date	Action
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### Committee on Appropriations

**Chairman:** David Livingston, LD 28

**Analyst:** Austin Fairbanks

**Vice Chairman:** Joseph Chaplik, LD 3

**Intern:** Leslie Vides

[HB 2401](#)<sup>(BSI)</sup> TPT; diapers; feminine hygiene; exemption  
SPONSOR: HERNANDEZ A, LD 20 HOUSE  
APPROP 2/20/2023 DP (12-0-2-1)  
(Abs: CHAPLIK Present: DIAZ, PARKER B)

[HB 2423](#)<sup>(BSI)</sup> technical correction; public records  
(APPROP S/E: appropriation; healthcare; interoperability)  
SPONSOR: GRESS, LD 4 HOUSE  
APPROP 2/20/2023 DPA/SE (14-0-0-1)  
(Abs: CHAPLIK)

[HB 2431](#)<sup>(BSI)</sup> insurance; existing actions; technical correction  
(APPROP S/E: workers' compensation; firefighters; rate deviation)  
SPONSOR: LIVINGSTON, LD 28 HOUSE  
APPROP 2/20/2023 DPA/SE (15-0-0-0)

[HB 2480](#)<sup>(BSI)</sup> collegiate women's wrestling program; appropriation  
SPONSOR: PAYNE, LD 27 HOUSE  
APPROP 2/20/2023 DP (11-2-1-1)  
(No: DIAZ, PARKER B Abs: CHAPLIK Present: SALMAN)

[HB 2489](#)<sup>(BSI)</sup> DUI; public safety; technical correction  
(APPROP S/E: prescriptions; approval; controlled substance)  
SPONSOR: PAYNE, LD 27 HOUSE  
APPROP 2/20/2023 DPA/SE (15-0-0-0)

[HB 2600](#)<sup>(BSI)</sup> children's behavioral health services fund  
SPONSOR: GRANTHAM, LD 14 HOUSE  
APPROP 2/20/2023 DPA (15-0-0-0)

[HB 2607](#)<sup>(BSI)</sup> meetings; homeowners' associations  
SPONSOR: PARKER B, LD 10 HOUSE  
APPROP 2/20/2023 DP (14-0-0-1)  
(Abs: CHAPLIK)

[HB 2612](#)<sup>(BSI)</sup> appropriation; trauma recovery center fund  
SPONSOR: MONTENEGRO, LD 29 HOUSE  
APPROP 2/15/2023 DPA (12-3-0-0)  
(No: CHAPLIK, DIAZ, PARKER B)

[HCR 2038](#)<sup>(BSI)</sup> continuing appropriation budget; enactment; timeframe  
SPONSOR: LIVINGSTON, LD 28 HOUSE  
APPROP 2/15/2023 DPA (9-6-0-0)  
(No: QUIÑONEZ, SALMAN, SCHWIEBERT, SHAH, STAHL HAMILTON,  
AUSTIN)

### Committee on Commerce

**Chairman:** Justin Wilmeth, LD 2  
**Analyst:** Paul Benny

**Vice Chairman:** Michael Carbone, LD 25  
**Intern:** Haley Garcia

[HB 2228](#)<sup>(BSI)</sup> home solicitation sales  
(COM S/E: sales; home solicitation)  
SPONSOR: GRESS, LD 4 HOUSE  
COM 2/7/2023 DPA/SE (7-3-0-0)  
(No: HEAP, HENDRIX, ORTIZ)

[HB 2770](#)<sup>(BSI)</sup> uniform commercial code; 2022 amendments  
SPONSOR: WILMETH, LD 2 HOUSE  
COM 2/14/2023 DP (10-0-0-0)

[HB 2809](#)<sup>(BSI)</sup> public infrastructure improvements; reimbursement  
SPONSOR: CARBONE, LD 25 HOUSE  
COM 2/14/2023 DP (10-0-0-0)

[HCR 2043](#)<sup>(BSI)</sup> compensation; state preemption; limitation  
SPONSOR: GRESS, LD 4 HOUSE  
COM 2/14/2023 DPA (6-4-0-0)  
(No: AGUILAR, ORTIZ, SUN, AUSTIN)

### Committee on Education

**Chairman:** Beverly Pingerelli, LD 28  
**Analyst:** Chase Houser

**Vice Chairman:** David Marshall, Sr., LD 7  
**Intern:** Sisto Jacobo

[HB 2341](#)<sup>(BSI)</sup> county jails; education programs; appropriation  
SPONSOR: SHAH, LD 5 HOUSE  
ED 2/14/2023 DPA (9-0-0-1)  
(Abs: COOK)  
APPROP 2/20/2023 DPA (12-1-2-0)  
(No: CHAPLIK Present: DIAZ, PARKER B)

[HB 2422](#)<sup>(BSI)</sup> Arizona criminal justice academy  
SPONSOR: GRESS, LD 4 HOUSE  
ED 2/7/2023 DP (6-3-1-0)  
(No: GUTIERREZ, PAWLIK, SCHWIEBERT Present: TERECH)  
APPROP 2/20/2023 DPA (9-6-0-0)  
(No: GUTIERREZ, QUIÑONEZ, SALMAN, SCHWIEBERT, SHAH,  
AUSTIN)

[HB 2457](#)<sup>(BSI)</sup> anesthesiologist assistants; licensure  
 SPONSOR: PINGERELLI, LD 28 HOUSE  
 ED 2/14/2023 DPA (8-0-2-0)  
 (Present: COOK, PEÑA)

[HB 2504](#)<sup>(BSI)</sup> STO scholarships; foster care students  
 SPONSOR: PARKER B, LD 10 HOUSE  
 ED 1/24/2023 DP (6-4-0-0)  
 (No: GUTIERREZ, PAWLIK, SCHWIEBERT, TERECH)

[HB 2533](#)<sup>(BSI)</sup> classroom instruction; posting requirements  
 SPONSOR: GILLETTE, LD 30 HOUSE  
 ED 2/14/2023 DP (6-3-0-1)  
 (No: GUTIERREZ, PAWLIK, TERECH Abs: SCHWIEBERT)

[HB 2538](#)<sup>(BSI)</sup> live, remote instruction; incentive bonuses  
 SPONSOR: PINGERELLI, LD 28 HOUSE  
 ED 2/7/2023 DPA (6-4-0-0)  
 (No: GUTIERREZ, PAWLIK, SCHWIEBERT, TERECH)  
 APPROP 2/20/2023 DPA (9-5-1-0)  
 (No: GUTIERREZ, QUIÑONEZ, SALMAN, SCHWIEBERT, AUSTIN  
 Present: SHAH)

[HB 2539](#)<sup>(BSI)</sup> school choice; failing schools; notice  
 SPONSOR: PINGERELLI, LD 28 HOUSE  
 ED 2/14/2023 DP (6-4-0-0)  
 (No: GUTIERREZ, PAWLIK, SCHWIEBERT, TERECH)

[HB 2620](#)<sup>(BSI)</sup> technical correction; education; extended year  
 (ED S/E: private residential facilities; instructional days)  
 SPONSOR: MARTINEZ, LD 16 HOUSE  
 ED 2/14/2023 DPA/SE (8-0-0-2)  
 (Abs: COOK, SCHWIEBERT)

[HB 2635](#)<sup>(BSI)</sup> application; threat assessments; resources; students  
 SPONSOR: GRANTHAM, LD 14 HOUSE  
 ED 2/14/2023 DP (8-0-0-2)  
 (Abs: COOK, SCHWIEBERT)

[HB 2663](#)<sup>(BSI)</sup> school districts; organizational meeting; deadline  
 SPONSOR: PAWLIK, LD 13 HOUSE  
 ED 2/14/2023 DP (8-1-0-1)  
 (No: HARRIS Abs: SCHWIEBERT)

[HB 2705](#)<sup>(BSI)</sup> schools; safety training; pilot program  
 SPONSOR: BIASIUCCI, LD 30 HOUSE  
 ED 2/14/2023 DP (6-3-0-1)  
 (No: GUTIERREZ, PAWLIK, TERECH Abs: SCHWIEBERT)  
 APPROP 2/20/2023 DP (9-6-0-0)  
 (No: GUTIERREZ, HERNANDEZ M, QUIÑONEZ, SALMAN,  
 SCHWIEBERT, SHAH)

[HB 2753](#)<sub>(BSI)</sub> graduate medical education; residency programs  
SPONSOR: PEÑA, LD 23 HOUSE  
ED 2/14/2023 DPA (8-0-1-1)  
(Abs: SCHWIEBERT Present: DIAZ)

[HB 2786](#)<sub>(BSI)</sub> teacher training; parental notification; requirements  
SPONSOR: HEAP, LD 10 HOUSE  
ED 2/14/2023 DP (6-4-0-0)  
(No: GUTIERREZ, PAWLIK, SCHWIEBERT, TERECH)

### Committee on Government

**Chairman:** Timothy M. Dunn, LD 25  
**Analyst:** Frank Komadina

**Vice Chairman:** John Gillette, LD 30  
**Intern:** Joshua Bennion

[HB 2471](#)<sub>(BSI)</sub> government investments; plans; fiduciaries; products  
SPONSOR: MONTENEGRO, LD 29 HOUSE  
GOV 2/15/2023 DP (5-4-0-0)  
(No: BRAVO, HERNANDEZ L, LONGDON, PESHLAKAI)

[HB 2551](#)<sub>(BSI)</sub> county salaries; approval  
SPONSOR: GRIFFIN, LD 19 HOUSE  
GOV 2/15/2023 DPA (9-0-0-0)

[HB 2587](#)<sub>(BSI)</sub> governor's declaration; fiscal impact analysis  
SPONSOR: PAYNE, LD 27 HOUSE  
GOV 2/15/2023 DP (9-0-0-0)

[HCR 2016](#)<sub>(BSI)</sub> article V convention; term limits  
SPONSOR: COOK, LD 7 HOUSE  
GOV 2/15/2023 DP (8-1-0-0)  
(No: JONES)

[HCR 2037](#)<sub>(BSI)</sub> Assyrian New Year; recognizing  
SPONSOR: SCHWIEBERT, LD 2 HOUSE  
GOV 2/15/2023 DP (9-0-0-0)

[HCR 2039](#)<sub>(BSI)</sub> governor; state of emergency  
SPONSOR: CHAPLIK, LD 3 HOUSE  
GOV 2/15/2023 DP (5-4-0-0)  
(No: BRAVO, HERNANDEZ L, LONGDON, PESHLAKAI)

### Committee on Health & Human Services

**Chairman:** Steve Montenegro, LD 29  
**Analyst:** Ahjahna Graham

**Vice Chairman:** Barbara Parker, LD 10  
**Intern:** Kira McNeill

[HB 2043](#)<sub>(BSI)</sub> physician assistants; supervision; collaboration  
SPONSOR: BLISS, LD 1 HOUSE  
HHS 2/13/2023 DPA (6-3-0-0)  
(No: PARKER B, PINGERELLI, SHAH)

[HB 2053](#)<sub>(BSI)</sub> nurse-home visitation; program; appropriations  
SPONSOR: BLISS, LD 1 HOUSE  
HHS 2/6/2023 DP (9-0-0-0)  
APPROP 2/20/2023 DPA (11-1-3-0)  
(No: CHAPLIK Present: DIAZ, GRESS, PARKER B)

[HB 2227](#)<sub>(BSI)</sub> child care monies; eligible organizations  
(HHS S/E: eligible organizations; registration; childcare monies)  
SPONSOR: GRESS, LD 4 HOUSE  
HHS 2/13/2023 DPA/SE (7-2-0-0)  
(No: PARKER B, PINGERELLI)

[HB 2338](#)<sub>(BSI)</sub> AHCCCS; preventive dental care  
SPONSOR: SHAH, LD 5 HOUSE  
HHS 2/16/2023 DP (8-1-0-0)  
(No: PARKER B)  
APPROP 2/20/2023 DP (13-1-0-1)  
(No: PARKER B Abs: CHAPLIK)

[HB 2499](#)<sub>(BSI)</sub> nutrition assistance; transition pilot program  
SPONSOR: GRESS, LD 4 HOUSE  
HHS 1/30/2023 DP (8-1-0-0)  
(No: PARKER B)

[HB 2530](#)<sub>(BSI)</sub> substance exposure; pregnant women; neglect  
SPONSOR: JONES, LD 17 HOUSE  
HHS 2/13/2023 DPA (9-0-0-0)

[HB 2559](#)<sub>(BSI)</sub> DCS; federal benefits; dependent children.  
SPONSOR: MONTENEGRO, LD 29 HOUSE  
HHS 2/13/2023 DPA (9-0-0-0)

[HB 2563](#)<sub>(BSI)</sub> on-call health services; appropriations  
SPONSOR: HERNANDEZ C, LD 21 HOUSE  
HHS 2/16/2023 DP (8-1-0-0)  
(No: BLISS)  
APPROP 2/20/2023 DP (13-1-0-1)  
(No: DIAZ Abs: CHAPLIK)

[HB 2564](#)<sub>(BSI)</sub> hospitals; physicians; dispensing opioids  
SPONSOR: SHAH, LD 5 HOUSE  
HHS 2/13/2023 DP (9-0-0-0)

[HB 2624](#)<sub>(BSI)</sub> AHCCCS; redeterminations  
SPONSOR: BIASIUCCI, LD 30 HOUSE  
HHS 2/16/2023 DP (5-4-0-0)

## **Committee on Judiciary**

**Chairman:** Quang H. Nguyen, LD 1

**Analyst:** Justin Larson

**Vice Chairman:** Selina Bliss, LD 1

**Intern:** Grace Crounse

[HB 2544](#)<sub>(BSI)</sub> Arizona manufactured; modified firearms  
SPONSOR: DIAZ, LD 19 HOUSE  
JUD 2/15/2023 DP (5-3-0-0)  
(No: CONTRERAS L, HERNANDEZ M, ORTIZ)

[HB 2667](#)<sub>(BSI)</sub> disruption; educational institution; concealed weapon.  
SPONSOR: JONES, LD 17 HOUSE  
JUD 2/15/2023 DP (5-3-0-0)  
(No: CONTRERAS L, HERNANDEZ M, ORTIZ)

[HB 2754](#)<sup>(BSI)</sup> criminal liability; enterprises  
 SPONSOR: JONES, LD 17 HOUSE  
 JUD 2/15/2023 DP (5-3-0-0)  
 (No: CONTRERAS L, HERNANDEZ M, ORTIZ)

[HB 2759](#)<sup>(BSI)</sup> nonprofits; facilitation; trafficking offenses; penalties  
 SPONSOR: GILLETTE, LD 30 HOUSE  
 JUD 2/15/2023 DP (5-3-0-0)  
 (No: CONTRERAS L, HERNANDEZ M, ORTIZ)

[HB 2802](#)<sup>(BSI)</sup> fentanyl sales; manufacture; sentencing; testing  
 SPONSOR: GRESS, LD 4 HOUSE  
 JUD 2/15/2023 DP (5-3-0-0)  
 (No: CONTRERAS L, HERNANDEZ M, ORTIZ)

### **Committee on Land, Agriculture & Rural Affairs**

**Chairman:** Lupe Diaz, LD 19 **Vice Chairman:** Michele Peña, LD 23  
**Analyst:** Paul Bergelin **Intern:** Abigail Hobson

[HB 2483](#)<sup>(BSI)</sup> backyard fowl; regulation; prohibition  
 SPONSOR: PAYNE, LD 27 HOUSE  
 LARA 2/13/2023 DP (9-0-0-0)

[HB 2507](#)<sup>(BSI)</sup> grain research council; continuation  
 SPONSOR: DIAZ, LD 19 HOUSE  
 LARA 2/13/2023 DPA (9-0-0-0)

[HB 2598](#)<sup>(BSI)</sup> agricultural workforce program; apprentices; appropriation.  
 SPONSOR: PEÑA, LD 23 HOUSE  
 LARA 2/13/2023 DP (8-0-0-1)  
 (Abs: COOK)

[HB 2750](#)<sup>(BSI)</sup> expiration date; eggs; definition  
 SPONSOR: PEÑA, LD 23 HOUSE  
 LARA 2/13/2023 DP (5-4-0-0)  
 (No: CARBONE, HERNANDEZ C, SANDOVAL, SEAMAN)

[HB 2803](#)<sup>(BSI)</sup> forestry and fire management; appropriation  
 SPONSOR: GRESS, LD 4 HOUSE  
 LARA 2/16/2023 DPA (9-0-0-0)  
 APPROP 2/20/2023 DPA (15-0-0-0)

[HB 2806](#)<sup>(BSI)</sup> state parks heritage fund; appropriation  
 SPONSOR: CARBONE, LD 25 HOUSE  
 LARA 2/13/2023 DP (9-0-0-0)  
 APPROP 2/20/2023 DPA (13-2-0-0)  
 (No: CHAPLIK, PARKER B)

### **Committee on Military Affairs & Public Safety**

**Chairman:** Kevin Payne, LD 27 **Vice Chairman:** Rachel Jones, LD 17  
**Analyst:** Nathan McRae **Intern:** Calandra Valencia

[HB 2196](#)<sub>(BSI)</sub> appropriation; department of public safety  
 SPONSOR: NGUYEN, LD 1 HOUSE  
 MAPS 1/30/2023 DP (15-0-0-0)  
 APPROP 2/20/2023 DPA (15-0-0-0)

[HB 2420](#)<sub>(BSI)</sub> law enforcement; families; tuition scholarships  
 SPONSOR: GRESS, LD 4 HOUSE  
 MAPS 1/30/2023 DP (8-7-0-0)  
 (No: BLATTMAN, HERNANDEZ M, LONGDON, QUIÑONEZ, SUN,  
 TRAVERS, TSOSIE)  
 APPROP 2/20/2023 DP (10-5-0-0)  
 (No: GUTIERREZ, QUIÑONEZ, SALMAN, SCHWIEBERT, AUSTIN)

[HB 2482](#)<sub>(BSI)</sub> appropriations; crime victim notification fund.  
 SPONSOR: PAYNE, LD 27 HOUSE  
 MAPS 1/30/2023 DPA (8-2-5-0)  
 (No: HERNANDEZ M, LONGDON Present: BLATTMAN, QUIÑONEZ,  
 SUN, TRAVERS, TSOSIE)  
 APPROP 2/20/2023 DPA (14-1-0-0)  
 (No: SALMAN)

[HB 2484](#)<sub>(BSI)</sub> failure to return vehicle; repeal.  
 SPONSOR: PAYNE, LD 27 HOUSE  
 MAPS 2/13/2023 DP (15-0-0-0)

[HB 2485](#)<sub>(BSI)</sub> aggravated assault; ambush; police; classification  
 (MAPS S/E: ambush; police; sentencing enhancement)  
 SPONSOR: PAYNE, LD 27 HOUSE  
 MAPS 2/13/2023 DPA/SE (13-1-1-0)  
 (No: SUN Present: TRAVERS)

[HB 2540](#)<sub>(BSI)</sub> fire incident management fund; appropriation  
 SPONSOR: GRANTHAM, LD 14 HOUSE  
 MAPS 2/6/2023 DPA (15-0-0-0)  
 APPROP 2/15/2023 DP (13-2-0-0)  
 (No: SALMAN, STAHL HAMILTON)

[HB 2554](#)<sub>(BSI)</sub> search and rescue equipment fund  
 SPONSOR: BLISS, LD 1 HOUSE  
 MAPS 2/13/2023 DP (15-0-0-0)  
 APPROP 2/20/2023 DP (15-0-0-0)

[HB 2589](#)<sub>(BSI)</sub> emergency medical technicians; military reciprocity  
 SPONSOR: PAYNE, LD 27 HOUSE  
 MAPS 2/13/2023 DP (13-0-0-2)  
 (Abs: BLATTMAN, LONGDON)

[HB 2599](#)<sub>(BSI)</sub> interstate compact; military children; revisions  
 SPONSOR: PEÑA, LD 23 HOUSE  
 MAPS 2/13/2023 DP (15-0-0-0)

[HB 2615](#)<sub>(BSI)</sub> prisoners; transition program  
 SPONSOR: BLISS, LD 1 HOUSE  
 MAPS 2/13/2023 DP (14-0-0-1)  
 (Abs: BLATTMAN)

[HB 2617](#)<sub>(BSI)</sub> carrying of firearms; constables  
 SPONSOR: BLISS, LD 1 HOUSE  
 MAPS 2/13/2023 DP (13-0-2-0)  
 (Present: SUN, TRAVERS)

[HB 2631](#)<sub>(BSI)</sub> marijuana regulatory board; licensing qualifications  
 SPONSOR: PAYNE, LD 27 HOUSE  
 MAPS 2/13/2023 DP (7-6-1-1)  
 (No: LONGDON, PESHAKAI, QUIÑONEZ, SUN, TRAVERS, TSOSIE  
 Abs: HARRIS Present: BLATTMAN)

[HB 2632](#)<sub>(BSI)</sub> appropriation; simulators; law enforcement; probation  
 SPONSOR: PAYNE, LD 27 HOUSE  
 MAPS 2/13/2023 DPA (14-0-1-0)  
 (Present: SUN)  
 APPROP 2/20/2023 DPA (12-1-2-0)  
 (No: SALMAN Present: QUIÑONEZ, AUSTIN)

[HB 2649](#)<sub>(BSI)</sub> appropriation; correction officers; retention bonus  
 SPONSOR: MARTINEZ, LD 16 HOUSE  
 MAPS 2/13/2023 DPA (15-0-0-0)

[HB 2651](#)<sub>(BSI)</sub> missing children; alert; notification; reporting  
 SPONSOR: PARKER B, LD 10 HOUSE  
 MAPS 2/13/2023 DP (9-3-3-0)  
 (No: LONGDON, PESHAKAI, QUIÑONEZ Present: BLATTMAN, SUN,  
 TRAVERS)

[HB 2670](#)<sub>(BSI)</sub> state agencies; veterans status; inquiry  
 SPONSOR: TRAVERS, LD 12 HOUSE  
 MAPS 2/13/2023 DPA (15-0-0-0)

[HB 2675](#)<sub>(BSI)</sub> drug cartels; terrorist organizations  
 SPONSOR: MONTENEGRO, LD 29 HOUSE  
 MAPS 2/13/2023 DP (10-5-0-0)  
 (No: BLATTMAN, LONGDON, PESHAKAI, QUIÑONEZ, SUN)

[HB 2704](#)<sub>(BSI)</sub> appropriation; border; law enforcement; prosecution  
 SPONSOR: BIASIUCI, LD 30 HOUSE  
 MAPS 2/13/2023 DP (8-7-0-0)  
 (No: BLATTMAN, LONGDON, PESHAKAI, QUIÑONEZ, SUN,  
 TRAVERS, TSOSIE)  
 APPROP 2/20/2023 DP (9-6-0-0)  
 (No: GUTIERREZ, HERNANDEZ M, QUIÑONEZ, SALMAN,  
 SCHWIEBERT, SHAH)

[HB 2725](#)<sub>(BSI)</sub> appropriation; department of veterans' services  
 SPONSOR: MARSHALL, LD 7 HOUSE  
 MAPS 2/13/2023 DP (14-0-0-1)  
 (Abs: LONGDON)  
 APPROP 2/20/2023 DP (12-1-2-0)  
 (No: SALMAN Present: CHAPLIK, DIAZ)



[HB 2726](#)<sub>(BSI)</sub> appropriation; DPS; mobile radio system  
SPONSOR: MARSHALL, LD 7 HOUSE  
MAPS 2/13/2023 DP (14-0-0-1)  
(Abs: NGUYEN)  
APPROP 2/20/2023 DP (15-0-0-0)

[HB 2751](#)<sub>(BSI)</sub> appropriation; DPS; uniform allowance  
SPONSOR: PEÑA, LD 23 HOUSE  
MAPS 2/13/2023 DP (14-0-0-1)  
(Abs: NGUYEN)

[HB 2755](#)<sub>(BSI)</sub> appropriation; real-time crime center  
SPONSOR: JONES, LD 17 HOUSE  
MAPS 2/13/2023 DPA (14-0-0-1)  
(Abs: BLATTMAN)  
APPROP 2/20/2023 DP (15-0-0-0)

[HB 2756](#)<sub>(BSI)</sub> law enforcement; defunding; prohibition  
SPONSOR: MARSHALL, LD 7 HOUSE  
MAPS 2/13/2023 DPA (8-7-0-0)  
(No: BLATTMAN, LONGDON, PESHLAKAI, QUIÑONEZ, SUN,  
TRAVERS, TSOSIE)

[HB 2760](#)<sub>(BSI)</sub> appropriation; DPS; standby pay  
SPONSOR: GILLETTE, LD 30 HOUSE  
MAPS 2/13/2023 DP (14-1-0-0)  
(No: SUN)  
APPROP 2/20/2023 DP (15-0-0-0)

### **Committee on Municipal Oversight & Elections**

**Chairman:** Jacqueline Parker, LD 15 **Vice Chairman:** Alexander Kolodin, LD 3  
**Analyst:** Joel Hobbins **Intern:** Isabella Garbero

[HB 2546](#)<sub>(BSI)</sub> large school districts; division; election  
SPONSOR: JONES, LD 17 HOUSE  
MOE 2/8/2023 DP (6-3-1-0)  
(No: AGUILAR, HERNANDEZ M, TERECH Present: DE LOS SANTOS)

[HB 2552](#)<sub>(BSI)</sub> voting; elections; tally; prohibition  
SPONSOR: SMITH, LD 29 HOUSE  
MOE 2/15/2023 DP (6-4-0-0)  
(No: AGUILAR, DE LOS SANTOS, HERNANDEZ M, TERECH)

[HB 2591](#)<sub>(BSI)</sub> elections; early ballot drop boxes  
SPONSOR: GRIFFIN, LD 19 HOUSE  
MOE 2/15/2023 DPA (6-4-0-0)  
(No: AGUILAR, DE LOS SANTOS, HERNANDEZ M, TERECH)

[HB 2613](#)<sub>(BSI)</sub> voting equipment; requirements; origin  
SPONSOR: MONTENEGRO, LD 29 HOUSE  
MOE 2/15/2023 DP (6-4-0-0)  
(No: AGUILAR, DE LOS SANTOS, HERNANDEZ M, TERECH)

[HB 2691](#)<sub>(BSI)</sub> elections; ballot chain of custody  
SPONSOR: HEAP, LD 10 HOUSE  
MOE 2/15/2023 DPA (6-3-0-1)  
(No: AGUILAR, DE LOS SANTOS, TERECH Abs: HERNANDEZ M)

[HB 2722](#)<sub>(BSI)</sub> elections; option; full hand count  
SPONSOR: GRIFFIN, LD 19 HOUSE  
MOE 2/15/2023 DPA (6-4-0-0)  
(No: AGUILAR, DE LOS SANTOS, HERNANDEZ M, TERECH)

[HB 2785](#)<sub>(BSI)</sub> early voting; absentee; military  
SPONSOR: HARRIS, LD 13 HOUSE  
MOE 2/16/2023 DP (6-4-0-0)  
(No: AGUILAR, DE LOS SANTOS, HERNANDEZ M, TERECH)

[HCR 2006](#)<sub>(BSI)</sub> bonds; elections; technical correction  
(MOE S/E: sessions of legislature; repeal sessions)  
SPONSOR: HEAP, LD 10 HOUSE  
MOE 2/15/2023 DPA/SE (6-4-0-0)  
(No: AGUILAR, DE LOS SANTOS, HERNANDEZ M, TERECH)

[HCR 2033](#)<sub>(BSI)</sub> primary elections; eligible candidates  
SPONSOR: SMITH, LD 29 HOUSE  
MOE 2/15/2023 DPA (6-4-0-0)  
(No: AGUILAR, DE LOS SANTOS, HERNANDEZ M, TERECH)

[HCR 2040](#)<sub>(BSI)</sub> in-person precinct voting; absentee voters  
SPONSOR: JONES, LD 17 HOUSE  
MOE 2/15/2023 DPA (6-4-0-0)  
(No: AGUILAR, DE LOS SANTOS, HERNANDEZ M, TERECH)

### **Committee on Natural Resources, Energy & Water**

**Chairman:** Gail Griffin, LD 19

**Vice Chairman:** Austin Smith, LD 29

**Analyst:** Paul Bergelin

**Intern:** Abigail Hobson

[HB 2561](#)<sub>(BSI)</sub> city water provider; requirements; service  
SPONSOR: KOLODIN, LD 3 HOUSE  
NREW 2/7/2023 DP (6-3-1-0)  
(No: DE LOS SANTOS, MATHIS, STAHL HAMILTON Present:  
TRAVERS)

[HB 2590](#)<sub>(BSI)</sub> real estate disclosures; water; solar  
(NREW S/E: seller disclosure; water; solar; batteries)  
SPONSOR: GRIFFIN, LD 19 HOUSE  
NREW 2/14/2023 DPA/SE (8-0-0-2)  
(Abs: KOLODIN, TRAVERS)

[HB 2618](#)<sub>(BSI)</sub> decommissioning; solar and wind; standards  
SPONSOR: GRIFFIN, LD 19 HOUSE  
NREW 2/14/2023 DP (6-2-1-1)  
(No: DE LOS SANTOS, MATHIS Abs: TRAVERS Present: STAHL  
HAMILTON)

[HB 2619](#)<sub>(BSI)</sub> watercraft; boating; regulations  
 SPONSOR: GRIFFIN, LD 19 HOUSE  
 NREW 2/14/2023 DP (8-0-2-0)  
 (Present: KOLODIN, PARKER B)

[HB 2669](#)<sub>(BSI)</sub> solid waste; sludge; water quality  
 (NREW S/E: prohibition; biosolids; land application)  
 SPONSOR: DUNN, LD 25 HOUSE  
 NREW 2/14/2023 DPA/SE (10-0-0-0)

[HB 2763](#)<sub>(BSI)</sub> appropriation; Mohave wash recharge basin  
 SPONSOR: GILLETTE, LD 30 HOUSE  
 NREW 2/14/2023 DP (10-0-0-0)  
 APPROP 2/20/2023 DP (15-0-0-0)

[HCM 2003](#)<sub>(BSI)</sub> technical correction; urging the president  
 (NREW S/E: critical minerals; copper; urging inclusion)  
 SPONSOR: GRIFFIN, LD 19 HOUSE  
 NREW 2/14/2023 DPA/SE (6-3-0-1)  
 (No: DE LOS SANTOS, MATHIS, STAHL HAMILTON Abs: TRAVERS)

[HCM 2008](#)<sub>(BSI)</sub> air quality; ozone standards; opposing  
 SPONSOR: CARBONE, LD 25 HOUSE  
 NREW 2/14/2023 DP (6-3-0-1)  
 (No: DE LOS SANTOS, MATHIS, STAHL HAMILTON Abs: TRAVERS)

## Committee on Regulatory Affairs

**Chairman:** Laurin Hendrix, LD 14

**Vice Chairman:** Cory McGarr, LD 17

**Analyst:** Diana Clay

**Intern:**

[HB 2525](#)<sub>(BSI)</sub> barbering; cosmetology; salons; unlicensed employees  
 SPONSOR: HENDRIX, LD 14 HOUSE  
 RA 2/8/2023 DPA (4-3-0-0)  
 (No: BRAVO, GUTIERREZ, HERNANDEZ A)

[HB 2550](#)<sub>(BSI)</sub> eyelash technicians; registration..  
 SPONSOR: WILMETH, LD 2 HOUSE  
 RA 2/8/2023 DP (7-0-0-0)

[HB 2558](#)<sub>(BSI)</sub> dietitian nutritionists; licensure.  
 SPONSOR: HERNANDEZ A, LD 20 HOUSE  
 RA 2/15/2023 DP (6-0-0-1)  
 (Abs: PAYNE)  
 HHS 2/16/2023 DP (7-2-0-0)  
 (No: GRESS, PARKER B)

[HB 2622](#)<sub>(BSI)</sub> cost sharing; health coverage; report  
 SPONSOR: HENDRIX, LD 14 HOUSE  
 RA 2/15/2023 DP (4-3-0-0)  
 (No: BRAVO, GUTIERREZ, HERNANDEZ A)

[HB 2625](#)<sub>(BSI)</sub> residential care institutions; inspections  
 SPONSOR: CARTER, LD 15 HOUSE  
 RA 2/15/2023 DP (6-0-0-1)  
 (Abs: HERNANDEZ A)

[HB 2730](#)<sup>(BSI)</sup> writ of execution; judgments; renewal  
SPONSOR: HENDRIX, LD 14 HOUSE  
RA 2/15/2023 DP (5-2-0-0)  
(No: BRAVO, GUTIERREZ)

**Committee on Transportation & Infrastructure**

**Chairman:** David L. Cook, LD 7 **Vice Chairman:** Teresa Martinez, LD 16  
**Analyst:** Jeremy Bassham **Intern:** Brianna Masel

[HB 2526](#)<sup>(BSI)</sup> railroads; annual safety inspections  
SPONSOR: HERNANDEZ C, LD 21 HOUSE  
TI 2/15/2023 DPA (9-1-0-1)  
(No: CARTER Abs: MONTENEGRO)

[HB 2531](#)<sup>(BSI)</sup> railroads; train length; prohibition  
SPONSOR: HERNANDEZ C, LD 21 HOUSE  
TI 2/17/2023 DP (10-0-1-1)  
(Abs: MONTENEGRO Present: CARTER)

[HB 2543](#)<sup>(BSI)</sup> appropriations; greater Arizona transportation projects  
SPONSOR: DUNN, LD 25 HOUSE  
TI 2/15/2023 DPA (9-1-0-1)  
(No: CONTRERAS P Abs: MONTENEGRO)  
APPROP 2/20/2023 DPA (12-2-1-0)  
(No: CHAPLIK, SALMAN Present: PARKER B)

[HB 2569](#)<sup>(BSI)</sup> appropriation; Happy Valley Road  
SPONSOR: LIVINGSTON, LD 28 HOUSE  
TI 2/15/2023 DP (10-0-1-0)  
(Present: CONTRERAS P)  
APPROP 2/20/2023 DP (13-2-0-0)  
(No: CHAPLIK, PARKER B)

[HB 2586](#)<sup>(BSI)</sup> ADOT dynamic message signs  
SPONSOR: CARTER, LD 15 HOUSE  
TI 2/17/2023 DP (7-4-0-1)  
(No: CONTRERAS P, QUIÑONEZ, SEAMAN, SUN Abs:  
MONTENEGRO)

[HB 2623](#)<sup>(BSI)</sup> appropriation; Mohave county substations  
SPONSOR: BIASIUCCI, LD 30 HOUSE  
TI 2/15/2023 DP (10-0-0-1)  
(Abs: MONTENEGRO)  
APPROP 2/20/2023 DP (12-2-0-1)  
(No: CHAPLIK, PARKER B Abs: SCHWIEBERT)

[HB 2717](#)<sup>(BSI)</sup> communicable disease information; 911 dispatchers  
(TI S/E: trauma counseling; 911 dispatchers)  
SPONSOR: HERNANDEZ M, LD 8 HOUSE  
TI 2/15/2023 DPA/SE (10-0-0-1)  
(Abs: CARTER)

[HB 2752](#)<sub>(BSI)</sub> appropriation: State Route 85  
SPONSOR: PEÑA, LD 23 HOUSE  
TI 2/15/2023 DP (11-0-0-0)  
APPROP 2/20/2023 DP (14-0-0-1)  
(Abs: SALMAN)

**Committee on Ways & Means**

**Chairman:** Neal Carter, LD 15

**Vice Chairman:** Justin Heap, LD 10

**Analyst:** Vince Perez

**Intern:** Ashton Allen

[HB 2501](#)<sub>(BSI)</sub> dependent tax credit; additional amount  
SPONSOR: GRESS, LD 4 HOUSE  
WM 1/25/2023 DP (6-4-0-0)  
(No: BLATTMAN, CANO, PAWLIK, SANDOVAL)

[HB 2534](#)<sub>(BSI)</sub> mortgaged property; tax statements; email  
SPONSOR: CARTER, LD 15 HOUSE  
WM 2/15/2023 DPA (10-0-0-0)

[HB 2807](#)<sub>(BSI)</sub> TPT; prime contracting; exemption; alterations  
SPONSOR: CARBONE, LD 25 HOUSE  
WM 2/15/2023 DP (6-4-0-0)  
(No: BLATTMAN, CANO, PAWLIK, SANDOVAL)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: APPROP DP 12-0-2-1

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**HB 2401: TPT; diapers; feminine hygiene; exemption**  
**Sponsor: Representative Hernandez A, LD 20**  
**Caucus & COW**

**Overview**

Exempts feminine hygiene products and diapers from transaction privilege tax (TPT) and use tax.

**History**

Statute outlines that the TPT retail classification is comprised of the business of selling tangible personal property at retail. The tax base for this classification is comprised of the gross proceeds of sales or income derived from the business. Certain retail items be exempt from taxes imposed on this classification ([A.R.S. § 42-5061](#)).

Statute outlines that the use, storage or consumption of purchased tangible personal property may be subject to a use tax in the state of Arizona, and that certain tangible personal property is exempt from the use tax (A.R.S §§ [42-5155](#), [42-5159](#)).

Items exempted from TPT and use tax may include textbooks from bookstores required by state universities, paper machine clothing, food for home consumption, sale of livestock and poultry to persons engaging in agricultural business and orthodontic devices dispensed by dental professionals ([A.R.S. § 42-6061](#)).

**Provisions**

1. Adds feminine hygiene products and diapers to the list of items exempted from TPT and use tax. (Sec. 1, 2)
2. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: APPROP DPA/SE 14-0-0-1

**HB 2423: technical correction; public records**  
**S/E: appropriation; healthcare; interoperability**  
**Sponsor: Representative Gress, LD 4**  
**Caucus & COW**

## **Summary of the Strike-Everything Amendment to HB 2423**

### **Overview**

Modifies deadlines and standards for the Arizona Department of Administration (ADOA) Interoperability Software Technology Solution Competitive Grant Program (Grant Program).

### **History**

[Laws 2022, Chapter 314](#) requires ADOA to establish a three-year competitive Grant Program for interoperability software technology solutions to support rural hospitals, health care providers and urban trauma centers to further treatment care coordination with a focus on reducing public and private health care costs and unnecessary transportation costs. The software must be made available to rural hospitals, health care providers and urban trauma centers by enabling a hospital's electronic medical records system to interface with other electronic medical records systems and facilitate increased communication between hospital staff and providers that use different or distinctive online platforms and information systems when treating patients. The legislation required ADOA to award the first grant by December 31, 2022 ([A.R.S. § 41-703.01](#)).

### **Provisions**

1. Requires ADOA to administer the competitive Grant Program for a single company that licenses an interoperability software technology solution to support acute care for rural hospitals, health care providers and trauma centers. (Sec. 1)
2. Prohibits the grant recipient from using a third-party vendor to comply with any of the Grant Program requirements. (Sec. 1)
3. Extends the date for ADOA to award the grant from December 31, 2022, to December 31, 2023. (Sec. 1)
4. Specifies that the Grant Program must enable the implementation of a single licensed interoperability software technology solution that is accessible to current and future providers via mobile, native smartphone application. (Sec. 1)
5. Specifies that the software be made available to rural hospitals, health care providers and trauma centers by enabling a hospital's electronic medical records system to interface with interoperability technology, other electronic medical records systems and providers to promote mobile connectivity and facilitate increased communication between hospital staff and providers that use different or distinctive online and mobile platforms and information systems when treating acute patients. (Sec. 1)
6. Modifies the standards that ADOA must use to award the grant for an interoperability software technology solution to include:
  - a. being capable of providing proactive alerts to health care providers on their smartphones or a smart device; and
  - b. being mobile and usable on multiple electronic devices. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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7. Adds that the grant recipient must demonstrate that its interoperability software technology solution meets all statutory requirements at least 30 days before applying. (Sec. 1)
8. Requires the interoperability software technology solution license to be renewed on an annual basis. (Sec. 1)
9. Defines *mobile* and *native*. (Sec. 1)
10. Removes the delayed repeal date for the Grant Program. (Sec. 2)
11. Appropriates a onetime sum of \$12,000,000 from the state General Fund in FY 2024 to ADOA for an interoperability software technology grant and exempts the appropriation from lapsing. (Sec. 3)
12. Makes technical and conforming changes. (Sec. 1)

**Amendments**

*Committee on Appropriations*

1. Adopted the strike-everything amendment.





# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: APPROP DPA/SE 15-0-0-0

**HB 2431: insurance; existing actions; technical correction  
S/E: workers' compensation; firefighters; rate deviation  
Sponsor: Representative Livingston, LD 28  
Caucus & COW**

## **Summary of the Strike-Everything Amendment to HB 2431**

### **Overview**

Contains session law provisions that limit certain workers' compensation insurers to collect additional premiums only if the public employer can receive reimbursement under the federal American Rescue Plan Act of 2021 (ARPA).

### **History**

Workers' compensation for public sector employees is required under [Article XVIII, § 8](#) of the Arizona State Constitution. The Industrial Commission of Arizona (ICA) regulates workers' compensation in the state ([A.R.S. § 23-901](#)).

ARPA ([Pub. L. 117-2](#)) contained several appropriations in response to the Covid-19 pandemic. For example, section 4013 of ARPA included a nationwide appropriation of \$300,000,000 for two Federal Emergency Management Agency programs to reimburse fire departments. ARPA also contained the State and Local Fiscal Recovery Funds, which are administered by the Governor in Arizona. As part of the FY 2023 budget, \$20,000,000 of these State and Local Fiscal Recovery Funds were designated for the ICA to reimburse fire districts for expenses related to Covid-19 ([FY 2023 Appropriations Report](#)).

### **Provisions**

1. Limits workers' compensation insurers that cover firefighters and fire investigators to only collect additional premiums from public employers for Covid-19-related claims to the extent that the employer can receive reimbursement from ARPA. (Sec. 1)
2. Specifies that the additional premium is in addition to rate deviations and any experience modifications allowed under current law. (Sec. 1)
3. Allows a worker's compensation insurer to charge a premium only if the policy allowed the employer to charge an additional premium. (Sec. 1)

### **Amendments**

*Committee on Appropriations*

1. Adopted the strike-everything amendment.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: APPROP DP 11-2-1-1

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**HB 2480: collegiate women's wrestling program; appropriation**  
**Sponsor: Representative Payne, LD 27**  
**Caucus & COW**

## **Overview**

Establishes the Collegiate Women's Wrestling Program Fund (Fund) and appropriates \$500,000 from the state General Fund (GF) to the Fund.

## **History**

First established in 1885, Arizona State University (ASU) is one of three public, state universities under the jurisdiction of the Arizona Board of Regents (ABOR). ABOR is required to maintain ASU in Tempe as well as campuses in western Maricopa County and eastern Maricopa County, which are administratively supported by the ASU campus in Tempe ([A.R.S. § 15-1601](#)).

## **Provisions**

1. Establishes the Fund, to be administered by ASU. (Sec. 1)
2. Specifies that monies in the Fund are exempt from lapsing and continuously appropriated. (Sec. 1)
3. Directs ASU to spend up to \$150,000 per year from the Fund for costs establishing and maintaining a collegiate women's wrestling program. (Sec. 1)
4. Instructs ASU to use Fund monies to award athletic scholarships to participants in the women's wrestling program who:
  - a) Are enrolled full-time at ASU;
  - b) Have an overall grade point average of 3.0 or higher; and
  - c) Are ranked in the top 10 of their weight class according to a national high school ranking system. (Sec. 1)
5. Provides that the athletic scholarships are first-come, first-served for eligible participants and may cover up to the cost of tuition, room, board, books and fees reduced by any other aid or scholarships. (Sec. 1)
6. Requires the Legislature to match every \$1 of non-state revenues to the Fund with up to \$5 of state appropriations. (Sec. 1)
7. Outlines the requirement that ASU report an estimate of the amount the Legislature must appropriate to the Joint Legislative Budget Committee by May 30 of each year. (Sec. 1)
8. Allows ASU to adopt rules to administer the Fund. (Sec. 1)
9. Appropriates a non-lapsing \$500,000 from the GF to the Fund in FY 2024. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: APPROP DPA/SE 15-0-0-0

**HB 2489: DUI; public safety; technical correction**  
**S/E: prescriptions; approval; controlled substance**  
**Sponsor: Representative Payne, LD 27**  
**Caucus & COW**

## **Summary of the Strike-Everything Amendment to HB 2489**

### **Overview**

Allows any compound, mixture or preparation that contains 3,4-methylenedioxymethamphetamine (MDMA) and is approved by the U.S. Food and Drug Administration (FDA) and rescheduled by the U.S. Drug Enforcement Administration (DEA) as a schedule other than a schedule I controlled substance to be prescribed in Arizona. Contains a conditional enactment clause.

### **History**

The Controlled Substance Act (CSA) is the federal statute that places all substances regulated under federal law into one of five schedules. The classification is based on the substance's medical use, potential for abuse and safety or dependency liability. The process to add, delete or change the schedule of a substance may be initiated by the DEA, the U.S. Department of Health and Human Services (HHS) or by a petition from an interested party ([21 U.S.C. § 812](#)).

According to the [DEA](#), schedule I drugs, substances and chemicals are those with no currently accepted medical use, a high potential for abuse and a lack of accepted safety for the use of the drug or other substance under medical supervision. Some examples of Schedule I drugs are: heroin, lysergic acid diethylamide (LSD) and MDMA.

The Arizona State Board of Pharmacy (Pharmacy Board) is required to: 1) adopt rules to protect the public regarding the practice of pharmacy, including the manufacturing and supplying of drugs or hazardous substances; 2) investigate compliance as to the quality and labeling of all drugs; and 3) license pharmacists and pharmacy interns. The Board may also outline rules for professional conduct of pharmacy professionals ([A.R.S. § 32-1904](#)).

### **Provisions**

1. States that any compound, mixture or preparation that contains MDMA and is approved by the USFDA and rescheduled by the DEA to a schedule other than a schedule I substance is a controlled substance and may be prescribed in Arizona. (Sec. 2)
2. States this act does not become effective unless by January 1, 2026, a MDMA investigational product is newly approved as a prescription medication pursuant to federal law and is controlled under a federal interim rule and published in the federal register. (Sec. 4)
3. Requires the Executive Director of the Pharmacy Board to notify in writing the Arizona Legislative Council Director by February 1, 2026 either:
  - a. of the date on which the condition was met; or
  - b. that the condition was not met. (Sec. 4)
4. Contains legislative findings. (Sec. 3)
5. Cites this act as *The PTSD Treatment Act of 2023*. (Sec. 5)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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6. Makes technical and conforming changes (Sec. 1)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: APPROP DPA 15-0-0-0

## **HB 2600: children's behavioral health services fund**

**Sponsor: Representative Grantham, LD 14**

**Caucus & COW**

### **Overview**

Deposits an annual sum from the insurance premium tax to the Children's Behavioral Health Services Fund (Fund).

### **History**

The insurance premium tax is levied on net insurance premiums received by insurance companies for risks within the state. Revenues from the insurance premium tax are deposited into the state General Fund, except for portions of the tax on fire insurance premiums and on vehicle insurance premiums ([A.R.S. § 20-227](#)).

The Fund was established by [Laws 2020, Chapter 4](#), to allow the Arizona Health Care Cost Containment System to contract for behavioral health services. These services are for school-aged students who are uninsured or underinsured, are referred by their educational institution and have written parental consent ([A.R.S. § 36-3436](#)).

The 2022 House Teen Mental Health *Ad Hoc* Committee (Committee) recommendations included a proposal that the Legislature fully-fund, on an ongoing basis, the Fund and consider revenue sources such as insurance premium tax collections ([Committee Recommendations](#)).

### **Provisions**

1. Requires a blank sum of insurance premium tax proceeds to be annually deposited into the Fund. (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1)

### **Amendments**

*Committee on Appropriations*

1. Sets the annual deposit amount at \$250,000.

☐ Prop 105 (45 votes)    ☐ Prop 108 (40 votes)    ☐ Emergency (40 votes)    ☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: APPROP DP 14-0-0-1

## **HB 2607: meetings; homeowners' associations**

**Sponsor: Representative Parker B, LD 10**

**Caucus & COW**

### **Overview**

Makes unit owners, members or their designated representatives eligible to provide notice for meetings in planned community and condominium associations.

### **History**

An association of condominiums or planned communities are for-profit, nonprofit or unincorporated associations of owners created under a declaration to operate portions of common ownership and obligations. The associations can assess fees and costs to members for payment of these obligations ([A.R.S. §§§ 33-1202, 33-1241, 33-1802](#)).

Currently Statute allows members in associations for planned communities and condominiums to call meetings for the removal of a board member, other than a declarant appointee, from the board of directors. This requires a percent threshold of members that are eligible to vote to sign a petition equaling:

- 1) At least 25% of votes in associations with 1,000 or fewer members; and
- 2) At least 10% of votes in associations with more than 1,000 members ([A.R.S. §§ 33-1243 and 33-1813](#)).

For a special meeting in a unit owner's or planned community association to take place, either the president, a majority of the board of directors or at least 25% of the voting members in an association, unless specified otherwise in the bylaws, is required to call for a meeting ([A.R.S. §§ 33-1248 and 33-1804](#)).

Notices for meetings must be delivered by hand or by mail and must contain the date, time, place of the meeting and the purpose for which the meeting is called ([A.R.S. §§ 33-1243 and 33-1813](#)).

### **Provisions**

1. Allows unit owners or members in a planned community or condominium association to call and provide written notice for a special meeting, subject to petition criteria, removing a member from the association board of directors. (Sec. 1, 4)
2. Authorizes a representative designated by the unit owners or members of either a condominium or planned community association to deliver a notice of an association meeting to the other members. (Sec. 2, 3)
3. Makes technical changes and a conforming change. (Sec. 1, 2, 3, 4)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: APPROP DPA 12-3-0-0

## **HB 2612: appropriation; trauma recovery center fund**

**Sponsor: Representative Montenegro, LD 29**

**Caucus & COW**

### **Overview**

Appropriates an unspecified amount from the state General Fund (GF) in FY 2024 to the Trauma Recovery Center Fund (Fund) to establish a State Pilot Trauma Recovery Center (Center).

### **History**

The Fund was established to provide grants for trauma recovery centers through the Department of Health Services (DHS). DHS consults with a national alliance that supports the trauma recovery centers and establishes priorities for the Fund. Trauma recovery centers qualify for grants if they adhere to the national alliance's operational and implementation guidelines ([A.R.S. § 36-4102](#)).

DHS sets priorities for medical services, coordinates programs, and allocates resources ([A.R.S. § 36-104](#)).

### **Provisions**

1. Appropriates unspecified amount from the GF in FY 2024 to the Fund. (Sec. 1)
2. Prohibits DHS from using more than 5% of the appropriation to administer the Fund. (Sec. 1)
3. Directs DHS to use the appropriation for the Center as follows:
  - a. A technical assistance grant;
  - b. Operational and service costs for three years; and
  - c. A grant for a public research institution to track data and report outcomes (Sec.1)

### **Amendments**

*Committee on Appropriations*

1. Replaces the blank appropriation with an appropriation of \$7,000,000.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: APPROP DPA 9-6-0-0

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## **HCR 2038: continuing appropriation budget; enactment; timeframe**

**Sponsor: Representative Livingston, LD 28**

**Caucus & COW**

### **Overview**

Subject to voter approval, directs the Legislature to annually adopt a general appropriation bill by the 45th day of each regular legislative session.

### **History**

The Arizona Constitution specifies that the general appropriation bill may only contain appropriations for state departments, state institutions, public schools and interest on the public debt. The Constitution also requires that all other appropriations must be made by separate bill subject to the single-subject requirement ([Ariz. Const., Article IV, Part 2, § 20](#)).

### **Provisions**

1. Requires the Legislature, by the 45th day of each regular session, to enact a general appropriation bill that:
  - a) Appropriates at least as much for the upcoming fiscal year as was appropriated in the current fiscal year;
  - b) Adjusts for inflation and enrollment growth as required by law; and
  - c) Removes one-time expenditures. (Sec. 1)
2. Directs the Secretary of State to submit this measure to the voters as a proposition at the next general election. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

### **Amendments**

#### *Committee on Appropriations*

1. Requires, when General Fund (GF) appropriations exceed projected GF revenues for a fiscal year, that the GF budget of each department be reduced proportionately until the total GF appropriations are one percent less than projected GF revenues.
2. Specifies that the proportionate reductions apply to any funding formula, including those approved by initiative or referendum.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: COM DPA/SE 7-3-0-0

**HB2228: home solicitation sales**

**S/E: same subject**

**Sponsor: Representative Gress, LD 4  
Caucus & COW**

## **Summary of the Strike-Everything Amendment to HB 2228**

### **Overview**

Clarifies a *home solicitation sale* as a sale that is made *without prior invitation, appointment or consent*.

### **History**

A *home solicitation sale*: 1) is a sale of goods or services in which the seller or the seller's representative personally solicits the sale and the buyer's agreement or offer to purchase is made at a home other than that of the person soliciting the same and that agreement or offer to purchase is there given to the seller or the seller's representative; 2) includes a cash sale that otherwise meets the definition of a home solicitation sale if the seller makes or provides a loan to the buyer or obtains or assists in obtaining a loan for the buyer to pay the purchase price; and 3) does not include a sale that is pursuant to a preexisting account with a seller whose primary business is selling goods or services at a fixed location or made pursuant to prior negotiations between the parties at a business establishment where goods or services are offered or exhibited for sale ([A.R.S. § 44-5001](#)).

The buyer has until midnight of the third business day to cancel the home solicitation sale. The buyer must provide a written notice of cancellation to the seller ([A.R.S. § 44-5002](#)).

### **Provisions**

1. Modifies *home solicitation sale* to mean a sale that the seller personally solicits *without prior invitation, appointment or consent*. (Sec. 1)

### **Amendments**

*Committee on Commerce*

1. Adopted the strike everything amendment.

☐ Prop 105 (45 votes)    ☐ Prop 108 (40 votes)    ☐ Emergency (40 votes)    ☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: COM DP 10-0-0-0

## **HB 2770: uniform commercial code; 2022 amendments**

**Sponsor: Representative Wilmeth, LD 2**

**Caucus & COW**

### **Overview**

Makes various changes and updates to the Uniform Commercial Code.

### **History**

The [Uniform Law Commission](#) (also known as the National Conference of Commissioners on Uniform State Laws) provides states with non-partisan, well-conceived and well-drafted legislation that brings clarity and stability to critical areas of state statutory law.

The [Uniform Commercial Code](#) is a comprehensive set of laws governing all commercial transactions in the United States. The code is not federal law, but a uniformly adopted state law. The [2022 amendments](#) to the Uniform Commercial Code address emerging technologies, providing updated rules for commercial transactions involving virtual currencies, distributed ledger technologies (including blockchain), artificial intelligence and other technological developments. Additionally, the amendments add a new section addressing certain types of digital assets defined as “Controllable Electronic Records” (CERs).

Arizona's uniform commercial code governs the sales of goods, leases of personal property, negotiable instruments, bank deposits and collections, rights and obligations connected with fund transfers, letters of credit, investment securities and secured transactions.

### **Provisions**

#### ***Sales***

1. Outlines the extent to which a *hybrid transaction* applies to the scope of a sales transaction. (Sec. 6)
2. Defines *hybrid transaction*. (Sec. 7)

#### ***Leases***

3. Outlines the extent to which a *hybrid lease* applies to the scope of a lease transaction. (Sec. 13)
4. Defines *hybrid lease*. (Sec. 14)

#### ***Negotiable Instruments***

5. Adds factors to determine what is considered as a *negotiable instrument*. (Sec. 21)
6. Modifies the definition of *issue*. (Sec. 22)
7. Removes restrictions relating to signing an instrument. (Sec. 23)
8. Specifies the obligation of a party to pay a check is not discharged solely by destruction of the check. (Sec. 24)

#### ***Funds Transfers***

9. Adds that a security procedure may impose an obligation on the receiving bank or the customer. (Sec. 26)
10. Clarifies that requiring a payment order to be sent from a known email address, IP address or telephone number is not by itself a security procedure. (Sec. 26)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

### ***Letters of Credit***

11. Clarifies that a letter of credit may be issued in any form that is a *signed* record, rather than be authenticated by a signature. (Sec. 34)
12. Stipulates that a branch of a bank is considered to be located at the address indicated in the branch's undertaking, if more than one address is indicated, at the address from which the undertaking was issued. (Sec. 35)

### ***Documents of Title***

13. Deletes the definition of *sign*. (Sec. 36)
14. Provides criteria and conditions in determining whether a person's power is exclusive and has control of an electronic document. (Sec. 37)

### ***Investment Securities***

15. Specifies a controllable account, controllable electronic record or controllable payment intangible is not a financial asset unless specified statutory criteria are applicable. (Sec. 39)
16. Modifies the conditions that determine whether a purchaser has control of a security entitlement. (Sec. 40)
17. Specifies a person that has control, relating to investment securities, is not required to acknowledge that the person has control of behalf of a purchaser. (Sec. 40)
18. Specifies the controlling person does not owe any duty to the purchaser and is not required to confirm the acknowledgment to any other person. (Sec. 40)
19. Asserts the local law of the issuer's jurisdiction or the securities intermediary's jurisdiction governs a specified matter or transaction. (Sec. 41)

### ***Secured Transactions***

20. Modifies the definition of *account* and *chattel paper*. (Sec. 43)
21. Defines *assignee*, *assignor*, *controllable account*, *controllable payment intangible*, *electronic money*, *money*, and *tangible money*. (Sec. 43)
22. Deletes the definition of *authenticate*, *electronic chattel paper*, *send* and *tangible chattel paper*. (Sec. 43)
23. Includes a condition in determining if a secured party has control of a deposit account. (Sec. 44)
24. Outlines certain conditions and criteria in determining if a purchaser has control of an authoritative electronic copy of a record evidencing chattel paper. (Sec. 46)
25. Outlines certain conditions and criteria in determining if a person has control of electronic money. (Sec. 46)
26. Specifies a condition in determining if a secured party has control of a controllable account or controllable payment intangible. (Sec. 46)
27. Specifies a person is not required to acknowledge or confirm if they have control. (Sec. 46)
28. Includes a condition in determining if a security interest is enforceable against the debtor and third parties with respect to the collateral. (Sec. 47)
29. Adds that a security interest may attach to consumer goods as proceeds, to a commercial tort claim or under an after-acquired property clause. (Sec. 48)
30. Adds a requirement for a secured party having control of an authoritative electronic copy of a record evidencing chattel paper, an electronic document, electronic money, or a controllable electronic record to transfer the copy or control to the debtor or a person designated by the debtor. (Sec. 50)

31. Clarifies law governing perfection and priority of security interests in deposit accounts and investment property in relation to the bank's jurisdiction. (Sec. 54, 55)
32. Provides regulations of law governing perfection and priority of security interests in chattel paper, controllable accounts, controllable electronic records and controllable payment intangibles. (Sec. 56)
33. Adds that a security interest in controllable accounts, controllable electronic records, controllable payment intangibles or negotiable documents may be perfected by filing. (Sec. 58)
34. Includes controllable accounts, controllable electronic records, controllable payment intangibles, deposit accounts, electronic documents, electronic money, investment property and letter-of-credit rights to the statutory requirements relating to perfection by control. (Sec. 60)
35. Includes requirements relating to perfecting security interest in chattel paper by possession and control. (Sec. 61)
36. Specifies the criteria for a buyer to take free of a security interest of chattel paper, an electronic document, a controllable electronic record, and a controllable account or a controllable payment intangible. (Sec. 63)
37. Specifies the priority of security interest in controllable accounts, controllable electronic records and controllable payment intangibles. (Sec. 66)
38. Clarifies the priority of chattel paper relating to tangible copies and electronic copies. (Sec. 67)
39. stipulates a transferee of electronic money takes the money free of a security interest if the transferee obtains control of the money without acting in collusion with the debtor in violating the rights of the secured party. (Sec. 69)
40. Provides criteria in determining if a secured party owes a duty based on its status as a secured party to a person. (Sec. 78)
41. Modifies the contents of the notification of disposition of collateral form. (Sec. 81)
42. Prescribes instructions applicable to the notification of disposition of collateral form. (Sec. 81)
43. Modifies the contents of the notification before disposition of collateral form. (Sec. 82)
44. Prescribes instructions applicable to the notification before disposition of collateral form. (Sec. 82)
45. Includes certain limitations on liability of a secured party do not apply to limit the liability of a secured party to a person if specified conditions are met. (Sec. 89)

***Controllable Electronic Records***  
***Chapter 12 (Sec. 90)***

46. Provides for the acquisition and purchase of rights applicable to a controllable account, controllable electronic record and controllable payment intangible.
47. Outlines criteria in determining if a person has control of a controllable electronic record, includes the exclusiveness of a power.
48. Specifies the person, who acknowledges the control of a controllable electronic record, does not owe any duty to the other person and is not required to confirm the acknowledgment.
49. Provides requirements for the discharge of account debtor on a controllable account or controllable payment intangible.
50. Specifies the requirements for account debtor are subject to law which establishes a different rule for an account debtor.
51. Asserts the local law of a controllable electronic record's jurisdiction govern a matter covered by statutory provisions relating to controllable electronic records.

- 52. Delineates rules for determining a controllable electronic record's jurisdiction.
- 53. Stipulates the governing laws with respect to the District of Columbia.
- 54. Assert statutory rights by a purchase or qualifying purchaser are governed by the applicable law at the time of purchase
- 55. Defines pertinent terms.

***Transitional Provisions***  
***Chapter 13 (Sec. 90)***

- 56. Asserts a transaction validly entered into before the effective date of this Act remain valid and may be terminated, completed, consummated or enforced as required or permitted by law.
- 57. Specifies certain statutory changes apply to a transaction, lien or other interest in property regardless of when it was entered into, created or acquired.
- 58. Asserts uniform commerce code laws, as amended in 2023, do not affect an action, case or proceeding commenced before the effective date of this Act.
- 59. Prescribes the enforceability of a security interest that was perfected or unperfected prior to the effective date of this Act.
- 60. Prescribes the effectiveness of actions taken before the effective date of this Act.
- 61. Stipulates the filing of a financing statement before the effective date of this Act is effective to perfect a security interest to the extent the filing would satisfy the statutory requirements for perfection.
- 62. Specifies the taking of an action before the effective date of this Act is sufficient for the enforceability of a security interest on the effective if the action would satisfy the statutory requirements for enforceability as amended in 2023.
- 63. Prescribes requirements in determining the priority of conflicting claims to collateral and the priority of conflicting claims relating to property.
- 64. Defines pertinent terms.

***Miscellaneous***

- 65. Defines *electronic* and *sign*. (Sec. 2)
- 66. Modifies definitions of pertinent terms relating to the uniform commercial code. (Sec. 2)
- 67. Makes clarifying and technical changes. (Sec. 1- 5, 8-12, 14-20, 25, 27-33, 35, 37, 38, 42, 43, 47, 49-53, 57-59, 62-65, 68-77, 79, 80, 83-88)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: COM DP 10-0-0-0

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**HB 2809: public infrastructure improvements; reimbursement**  
**Sponsor: Representative Carbone, LD 25**  
**Caucus & COW**

**Overview**

Modifies the total amount paid to a city, town or county for infrastructure improvements related to manufacturing facilities to the lesser of the tax revenues received from persons conducting business under the Prime Contracting Classification derived from contracts to construct buildings and associated improvements for the benefit of a manufacturing facility or 80% of the total cost of public infrastructure improvements.

**History**

Current law provides that a city, town or county may be paid up to 80% of the cost of public infrastructure improvements for the benefit of a manufacturing facility and that the funds distributed are from tax revenues received from persons conducting business under the Prime Contracting Classification derived from contracts to construct buildings and associated improvements for the benefit of a manufacturing facility. Additionally, the total amount paid to all cities, towns and counties shall not exceed \$100,000,000. ([A.R.S. § 42-5032.02](#))

**Provisions**

1. Revises the total amount paid to a city, town or county to construct buildings and associated improvements for the benefit of a manufacturing facility is the lesser of the tax revenues received from persons conducting business under the Prime Contracting Classification derived from contracts to construct buildings and associated improvements for the benefit of a manufacturing facility or 80% of the total cost of the public infrastructure improvements. (Sec. 1)
2. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: COM DPA 6-4-0-0

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**HCR2043: compensation; state preemption; limitation**  
**Sponsor: Representative Gress, LD 4**  
**Caucus & COW**

**Overview**

Subject to voter approval, constitutionally preempts the regulation of employee benefits.

**History**

Current statute specifies the regulation of employee benefits, including nonwage compensation, paid and unpaid leave and other absences, meal breaks and rest periods is of statewide concern and not subject to further regulation by a city, town or other political subdivision of this State.

*Nonwage compensation* includes fringe benefits, welfare benefits, child or adult care plans, sick pay, vacation pay, severance pay, commissions, bonuses, retirement plan or pension contributions and other amounts promised to the employee that are more than the minimum compensation due an employee by reason of employment ([A.R.S. § 23-204](#)).

**Provisions**

1. Asserts the regulation of employee benefits, including wage and nonwage compensation, paid and unpaid leave and other absences, meal breaks and rest periods, is of statewide concern.
2. Specifies the regulation of employee benefits is not subject to further regulation by a city, town or other political subdivision of the State.
3. Adds that the preemption does not affect the authority of a city, town or county to set wages or benefits for municipal or county employees or limit a municipality's or county's authority to enter into contracts for personal services.
4. Instructs the Secretary of State to submit this proposition to the voters at the next general election.

**Amendments**

*Committee on Commerce*

1. Specifies employee benefits are not subject to further regulation by a county rather than a political subdivision.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DPA 9-0-0-1

## **HB 2341: county jails; education programs; appropriation**

**Sponsor: Representative Shah, LD 5**

**Caucus & COW**

### **Overview**

Increases the funding a pupil who is enrolled in a county jail education program generates and appropriates a blank amount from the state General Fund (GF) for county jail education programs.

### **History**

A county that operates a county jail must offer an education program to all prisoners who: 1) are 21 years old or younger; 2) do not have a high school diploma or a general equivalency diploma; and 3) are confined to the county jail. The county school superintendent and the county sheriff must agree on the method to deliver this program.

A county may operate its county jail education program through an accommodation school that provides alternative education services. Currently, pupils enrolled in an accommodation school county jail education program are funded at 72% of the amount the pupil would generate if they were enrolled in another accommodation school program.

Alternatively, the county school superintendent may establish a county jail education fund if the county chooses not to operate an accommodation school county jail education program. The county jail education fund for each program consists of a base amount of \$14,400, plus a variable amount, both of which are funded with state GF monies, subject to appropriation.

For nondisabled pupils, this variable amount is \$10.80 per instructional day. The variable amount for a pupil who is a child with a disability (disabled pupil) is calculated according to a statutory formula that takes into consideration an amount equal to 72% of the amount the pupil would receive under the special education institutional voucher formula, as well as \$72 for capital outlay costs (A.R.S. §§ [15-913.01](#), [15-1204](#)).

### **Provisions**

1. Funds pupils enrolled in an accommodation school county jail education program and disabled pupils funded through a county jail education fund at the full amount, rather than 72% of the amount, the pupil generates according to statute. (Sec. 1)
2. Increases the amount added for capital outlay costs for a disabled pupil funded through a county jail education fund from \$72 to \$100. (Sec.1)
3. Appropriates a blank amount from the state GF in FY 2024 to the Superintendent of Public Instruction to distribute to county school superintendents for county jail education programs. (Sec. 2)
4. Makes technical changes. (Sec. 1)

### **Amendments**

*Committee on Education*

1. Sets the appropriation at \$76,000.

☐ Prop 105 (45 votes)    ☐ Prop 108 (40 votes)    ☐ Emergency (40 votes)    ☒ [Fiscal Note](#)





# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DP 6-3-1-0 | APPROP DPA 9-6-0-0

## **HB 2422: Arizona criminal justice academy** **Sponsor: Representative Gress, LD 4** **Caucus & COW**

### **Overview**

Requires eligible postsecondary institutions to implement an Arizona Criminal Justice Academy (Academy). Creates the Arizona Criminal Justice Academy Fund (Academy Fund).

### **History**

The Arizona Board of Regents (ABOR) governs the three public universities in Arizona and is tasked with numerous powers and duties, including: 1) adopting policies for the administration and governance of the three universities; 2) fixing tuition and fees for students; 3) establishing curricula and designating courses; 4) awarding degrees and diplomas; and 5) annually adopting an operating budget for each university (A.R.S. §§ [15-1601](#), [15-1626](#)).

A *criminal justice agency* is a court with criminal or equivalent jurisdiction or a government agency authorized to perform criminal justice administration as its principal function and that allocates more than 50% of its annual budget to criminal justice administration ([A.R.S. § 41-1750](#)).

### **Provisions**

#### ***Academy Criteria***

1. Mandates eligible postsecondary institutions implement an Academy to incentivize students to enter the criminal justice profession and commit to work in Arizona. (Sec. 1)
2. Directs ABOR, in consultation with eligible postsecondary institutions, to develop and implement centralized administrative processes for the Academy as specified. (Sec. 1)
3. Allows the Academy to include new or existing criminal justice programs that use proven, research-based models of best practices and each eligible postsecondary institution to develop a portfolio of criminal justice programs. (Sec. 1)
4. Stipulates eligible postsecondary institutions may give priority to junior and senior students but may not exclude freshman and sophomore students. (Sec. 1)
5. Instructs eligible postsecondary institutions to develop formalized partnerships with Arizona criminal justice agencies to build employment commitments upon a student's completion of the Academy. (Sec. 1)
6. Requires the targeted deployment of criminal justice professionals who complete the Academy to be based on the needs of each criminal justice agency, the community being served and the criminal justice professional's individual skills. (Sec. 1)

#### ***Academy Scholarships***

7. Provides each Academy enrollee, after all other financial gifts, aid or grants received, an annual scholarship up to the actual cost of tuition and fees for maximum of:
  - a) two academic years or four semesters for graduate students;
  - b) four academic years or eight semesters for undergraduate students; and
  - c) two academic years or four semesters for community college students. (Sec. 1)

☐ Prop 105 (45 votes)    ☐ Prop 108 (40 votes)    ☐ Emergency (40 votes)    ☐ Fiscal Note

8. Limits reimbursement for an Academy scholarship provided by a degree-granting private postsecondary educational institution to the remainder of the average in-state tuition and fees charged by Arizona public universities, minus other gifts and aid. (Sec. 1)
9. Stipulates that if a student does not complete the academic year in good academic standing, the student must reimburse ABOR for an Academy scholarship received that year. (Sec. 1)
10. Requires a student, for each academic year they successfully complete and receive an Academy scholarship, to agree to work for one full year in a criminal justice profession in Arizona. (Sec. 1)
11. Specifies the commitment period for a student who receives an Academy scholarship and who is concurrently working in a criminal justice profession begins after their graduation from the Academy. (Sec. 1)
12. Excludes a summer term from being included in the service commitment calculation. (Sec. 1)
13. Prohibits, if an Academy scholarship does not cover remaining tuition and fees after other aid is received, eligible postsecondary institutions from charging students the difference. (Sec. 1)
14. Allows, if an Academy scholarship exceeds tuition and fees, eligible postsecondary institutions to use the remaining amount for Academy costs. (Sec. 1)
15. Requires students who do not fulfill the service commitment to reimburse ABOR for each year they received an Academy scholarship but did not work in a criminal justice profession in Arizona. (Sec. 1)
16. Directs ABOR to establish a process for assessing a student's ability to repay the financial assistance received if the student is physically or mentally unable to fulfill Academy requirements. (Sec. 1)
17. Mandates ABOR establish a process for deferring service or repayment. (Sec. 1)

#### ***Academy Fund***

18. Establishes the Academy Fund consisting of legislative appropriations and states monies are continuously appropriated and exempt from lapsing. (Sec. 1)
19. Tasks ABOR with administering the Academy Fund. (Sec. 1)
20. Limits the use of Fund monies to:
  - a) reimbursing Academy scholarships;
  - b) Academy induction services; and
  - c) implementing a marketing and promotion plan. (Sec. 1)
21. Restricts annual expenditures for marketing, promoting and administering the Academy to 3% of Academy Fund monies each fiscal year. (Sec. 1)
22. Allows eligible postsecondary institutions to use Academy Fund monies remaining at the end of each fiscal year for Academy costs in the following fiscal year. (Sec. 1)

#### ***Academy Reporting***

23. Directs ABOR to submit reports to specified entities containing the following information:
  - a. by March 1, 2024 and annually thereafter:
    - i. the total number of Academy students enrolled in the current academic year;
    - ii. the number of Academy graduates receiving induction services in the current academic year;
    - iii. the estimated amount of Academy Fund monies committed in the current fiscal year;
  - b. by September 1, 2024 and annually thereafter:
    - i. the total number of Academy students enrolled by year of college enrollment;
    - ii. the percentage of students who completed each year of the Academy and plan to continue to the subsequent year;
    - iii. the number of criminal justice professionals who have completed an Academy program of study;
    - iv. the number of criminal justice professionals currently working in Arizona as part of the service commitment;
    - v. the number of graduates receiving induction services;

- vi. the number of students who are in repayment agreements, have deferred repayment agreements and who completed repayment agreements;
- vii. the methodology for distributing Academy Fund monies and the amount distributed to each eligible postsecondary institution; and
- viii. the amount of unused Academy Fund monies from the prior fiscal year. (Sec. 1)

#### ***Miscellaneous***

24. Defines *eligible postsecondary institution* as:

- a. an Arizona public university;
- b. an Arizona community college that offers criminal justice programs; and
- c. a degree-granting private postsecondary educational institution in Arizona that offers one or more criminal justice programs and opts to participate in the Academy. (Sec.1)

25. Defines *criminal justice agency* and *tuition and fees*. (Sec. 1)

#### **Amendments**

##### **Committee on Appropriations**

1. Adds that the Academy Fund also consists of gifts and grants.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DPA 8-0-2-0

## **HB 2457: anesthesiologist assistants; licensure**

**Sponsor: Representative Pingerelli, LD 28**

**Caucus & COW**

### **Overview**

Adds anesthesiologist assistants (AAs) to the licensed and regulated professions under the Arizona Medical Board (Board) that may assist in the practice of medicine under a supervising anesthesiologist. Details the scope of practice for AAs.

### **History**

[Laws 2012, Chapter 152](#) authorizes a *certified registered nurse anesthetist* (CRNA) to administer anesthetics under the direction of and in the presence of a physician or surgeon in connection with the care of a patient or as part of a procedure performed by a physician or surgeon in specified settings. A CRNA may perform other duties, including issuing a medication order for drugs or medications, implementing an anesthetic plan of care for a patient and taking necessary action in response to an emergency situation. During this care, and in addition to statutorily related duties, the CRNA may issue an order for medication or drugs, including controlled substances, to be administered by a licensed, certified or registered health care provider. Statute asserts that the physician or surgeon is not liable for any act or omission of a CRNA who orders or administers anesthetics ([A.R.S. § 32-1634.04](#)).

The Board is charged with protecting the public from unlawful, unqualified or unprofessional practitioners of allopathic medicine through licensure, regulation and rehabilitation of the profession. Board duties include: 1) ordering and evaluating testing of licensed physicians and candidates for licensure; 2) investigating acts of unprofessional conduct or incompetent medical care; and 3) developing standards governing the profession ([A.R.S. § 32-1403](#)).

### **Provisions**

#### ***Board Duties and Licensure***

1. Directs the Board to determine the qualifications of applicants for an AA license. (Sec. 1)
2. Directs the Board to:
  - a) grant, deny, revoke, suspend, restrict or reinstate an AA license;
  - b) investigate allegations that an AA or supervising anesthesiologist engaged in conduct constituting a ground for revocation;
  - c) conduct informal interviews and hearings;
  - d) adopt rules governing the practice of AAs; and
  - e) retain jurisdiction over only Board-licensed AAs, regardless of license status. (Sec. 1)
3. Prohibits a person from practicing, using the title or representing themselves as an AA without having a Board-granted license. (Sec. 1)
4. Authorizes the Board to grant an AA license to an applicant who:
  - a. graduated from an AA program accredited by the Commission on Accreditation of Allied Health Education Programs (Commission);
  - b. satisfactorily completed a certification examination and application form; and
  - c. pays the required application and licensure fees. (Sec. 1)
5. Provides that a license is valid for two years and details license renewal procedures. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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6. Allows the Board to issue a temporary license for not more than one year to an applicant who:
  - a. completes a temporary license application;
  - b. pays the required temporary license fee;
  - c. successfully completes a Commission- or Board-approved program for educating and training AAs but who has not passed a certification exam; and
  - d. takes the next available certification exam after receiving a temporary license. (Sec. 1)
7. Authorizes the Board to reinstate a lapsed license if the applicant pays the Board-prescribed reinstatement fee and meets the requirements for initial licensure. (Sec. 1)

#### ***Scope of Practice***

8. Excludes a person enrolled in a Board-approved AA education program from scope of practice specifications. (Sec. 1)
9. Stipulates an AA may only perform duties and responsibilities delegated by and under the supervision of the supervising anesthesiologist. (Sec. 1)
10. States that the supervising anesthesiologist may supervise an AA in a manner consistent with federal regulations adopted by the Centers for Medicare and Medicaid Services for reimbursement for anesthesia service. (Sec. 1)
11. Requires the supervising anesthesiologist to be immediately available to the AA and able to intervene if needed. (Sec. 1)
12. Prohibits an AA's practice from exceeding their education and training or the scope of practice of the supervising anesthesiologist. (Sec. 1)
13. Restricts an AA from delegating a medical care task assigned to them by the supervising anesthesiologist to another person. (Sec. 1)
14. Lists the duties the supervising anesthesiologist may delegate to the AA. (Sec. 1)
15. Clarifies an AA is not prevented from having access to and being able to obtain prescription drugs as directed by the supervising anesthesiologist. (Sec. 1)
16. Defines *anesthesiologist*, *AA*, *assists*, *certification examination*, *supervising anesthesiologist* and *supervision*. (Sec. 1)

#### ***Regulation and Restriction of Licenses***

17. Authorizes the Board to refuse to renew or revoke, suspend or restrict a license or take other disciplinary action. (Sec. 1)
18. Instructs the Board to adopt and enter its written order and findings if it is determined that any action should be taken for an applicant or a current license holder. (Sec. 1)
19. Outlines the process and procedures for the Board to reinstate a revoked license. (Sec. 1)
20. Classifies any misrepresentation or unauthorized practice as an AA as a class 1 misdemeanor and each violation as a separate offense. (Sec. 1)

#### **Amendments**

##### ***Committee on Education***

1. Instructs the Board to direct complaints against an osteopathic anesthesiologist to the Arizona Board of Osteopathic Examiners in Medicine and Surgery for investigation and adjudication.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DP 6-4-0-0

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## **HB 2504: STO scholarships; foster care students** **Sponsor: Representative Parker B., LD 10** **Caucus & COW**

### **Overview**

Adds students placed in Arizona foster care to those who are eligible to receive a school tuition organization (STO) educational scholarship or tuition grant (scholarship) as specified.

### **History**

An STO is a nonprofit organization that receives income tax contributions to fund scholarships for students to attend qualified private schools in Arizona. STOs must be certified by the Arizona Department of Revenue ([A.R.S. Title 43, Chapters 15 and 16](#)).

Currently, there are four tax credits through which an STO may receive contributions from taxpayers: 1) the individual credit for contributions to STOs; 2) the individual credit for contributions to certified STOs (switcher credit); 3) the corporate credit for contributions to STOs for low-income scholarships; and 4) the corporate credit for contributions to STOs for displaced or disabled students ([A.R.S. §§ 43-1089, 43-1089.03, 43-1183, 43-1184](#)).

An STO that awards low-income scholarships must use at least 90% of contributions to provide scholarships to children whose family income does not exceed 185% of the income limit required to qualify for reduced-price lunches. Furthermore, to be eligible for a low-income scholarship, a student must meet one of the following criteria: 1) attended a governmental school full-time or a preschool program that offers services to disabled students at a governmental school for at least 90 days of the prior fiscal year or one full semester; 2) enroll in a qualified school in a kindergarten or preschool program that offers services to disabled students; 3) be a dependent of a U.S. Armed Forces member stationed in Arizona; 4) be homeschooled; 5) moved to Arizona from out of state; 6) participated in an Arizona Empowerment Scholarship Account (ESA) and did not renew the ESA; or 7) received other specified STO scholarships ([A.R.S. § 43-1504](#)).

An STO that receives switcher credit contributions must use at least 90% of contributions for scholarships to students who: 1) attended a governmental school full-time or a preschool program that offers services to disabled students at a governmental school for at least 90 days of the prior fiscal year; 2) enroll in a qualified school in a kindergarten or a preschool program that offers services to disabled students; 3) are a dependent of a U.S. Armed Forces member stationed in Arizona; 4) are homeschooled; 5) moved to Arizona from out of state; 6) participated in an ESA and did not renew the ESA; or 7) received other specified STO scholarships ([A.R.S. § 43-1603](#)).

### **Provisions**

1. Includes students placed in Arizona foster care to those eligible to receive a low-income scholarship from an STO or a scholarship from an STO that receives switcher credit contributions. (Sec. 1, 2)
2. Specifies an STO may award a scholarship to a student in Arizona foster care any time before their high school graduation or their obtainment of a general equivalency diploma. (Sec. 1, 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DP 6-3-0-1

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## **HB 2533: classroom instruction; posting requirements**

**Sponsor: Representative Gillette, LD 30**

**Caucus & COW**

### **Overview**

Directs a school district or charter school, for each school, to post a free electronic copy of specified classroom instruction materials on its website.

### **History**

School district governing boards (governing boards) must adopt a policy to promote parental involvement. This policy must include procedures for parents to: 1) learn about their child's course of study and review learning materials, including the source of any supplemental materials; 2) access the school's library collection and receive a list of books and materials borrowed by their children; and 3) learn about other parental rights and responsibilities ([A.R.S. § 15-102](#)).

The parent of a student in a public educational institution, including a school district or charter school, has the right to review learning materials and activities in advance and withdraw their child from the class or program if they believe the material or activity is harmful. However, a charter school may require a parent to waive this right as a condition of enrollment if the charter school provides a complete list of books and materials to be used each school year before the student enrolls ([A.R.S. § 15-113](#)).

On written request, designated school district personnel must allow parents to access instructional materials currently used or being considered for use by making at least one copy of the instructional material available for review ([A.R.S. § 15-730](#)).

A governing board must approve the basic textbook for each course. All meetings of committees for textbook review must be open to the public and textbooks being considered must be made available at the school district office for public review at least 60 days prior to selection. If a course does not include a basic textbook, the governing board must approve all supplemental books ([A.R.S. §§ 15-721, 15-722](#)).

### **Provisions**

1. Mandates a school district, for each school in the school district, and each charter school post a free electronic copy on its website of:
  - a) each educational course of study offered;
  - b) a list of all learning materials being used, including the source of any supplemental educational materials; and
  - c) each lesson plan being used or implemented. (Sec.1, 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DPA 6-4-0-0 | APPROP DPA 9-5-1-0

## **HB 2538: live, remote instruction; incentive bonuses**

**Sponsor: Representative Pingerelli, LD 28**

**Caucus & COW**

### **Overview**

Allows a school district or charter school (school) to offer live, remote instructional courses (live courses) for high school students. Adds that College Credit by Examination Incentive Program (CCEIP) incentive bonuses are provided for students who pass an eligible live course. Appropriates a blank amount from the state General Fund (GF) for CCEIP incentive bonuses.

### **History**

Established by [Laws 2016, Chapter 124](#), the CCEIP provides incentive bonuses to teachers and schools for high school students who obtain a passing score on a qualifying exam for college credit. The Arizona Board of Regents (ABOR) maintains a list of qualifying exams a high school student may take to receive college credit in math, English language arts, social studies or science from any Arizona public university, as well as the score a student must receive on such an exam to obtain college credit.

The Arizona Department of Education (ADE) must pay an incentive bonus to schools for each high school student who receives a passing score on a qualifying exam. If more than 50% of a school's students are eligible for free or reduced-price lunches (FRPL), the school receives \$450 per passing score. If less than 50% of the school's students are eligible for FRPL, the school receives \$300 per passing score.

A school that receives incentive bonus monies must distribute at least 50% of those monies to the associated classroom teacher(s) for each student who passes a qualifying exam. The remainder of incentive bonus monies are allocated by the school principal and may be used for teacher professional development, student instructional support, reimbursement of exam fees or instructional materials ([A.R.S. § 15-249.06](#)).

Schools may adopt an instructional time model (ITM) to meet statutory instructional time and hour requirements. Under an ITM, a school may deliver instructional time or hours to students through different modes of learning, including remote instruction. However, statute limits the percent of remote instruction that may be provided under an ITM. If a school exceeds this limitation, the school's funding is reduced according a statutory formula ([A.R.S. § 15-901.08](#)).

### **Provisions**

#### ***Live Courses***

1. Authorizes a school, pursuant to a written agreement with a services provider, to offer live courses for its own 9th-12th grade students. (Sec. 2)
2. Specifies a school offering a live course generates average daily membership (ADM) for its own students and a services provider may not generate ADM for remote students. (Sec. 2)
3. Directs a services provider to pay the live course instructor a stipend of at least 25% of the contractual amount of per-course, per-student monies. (Sec. 2)
4. Requires a school offering a live course to:
  - a. provide an in-person teacher or instructional aide;
  - b. ensure its own participating students satisfy instructional time and hour requirements; and
  - c. provide administrative functions for its own participating students. (Sec. 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



5. Defines *services provider* to mean an Arizona school that provides live courses to:
  - a. remote students pursuant to a written agreement with the school in which these students are enrolled; and
  - b. students who are enrolled in a school operated by the services provider. (Sec. 2)

#### ***CCEIP and Incentive Bonuses***

6. Adds that the CCEIP provides an incentive bonus to teachers and schools for high school students who receive a passing grade in a live course that provides relevant instruction for a student to obtain a passing score on a qualifying exam for college credit. (Sec. 1)
7. Instructs ADE, beginning in FY 2024, to pay a \$500 incentive bonus for each remote student who receives a passing grade in a live course that provides relevant instruction for a qualifying exam identified by ABOR. (Sec. 1)
8. Directs ADE to pay the incentive bonus to the school that acts as an instructional services provider for the live course. (Sec. 1, 2)
9. Prohibits a school from receiving an incentive bonus if fewer than 10 remote students receive a passing grade in the live course. (Sec. 1)
10. Reduces incentive bonus monies for live courses proportionally if the statewide sum of per student bonuses exceeds available appropriated monies. (Sec. 1)
11. Requires a school that receives an incentive bonus to distribute at least 50% of the bonus monies to the associated classroom for each student who receives a passing grade in a live course. (Sec. 1)
12. Mandates the remainder of bonus monies received be allocated by the school principal on behalf of students who receive a passing grade in a live course. (Sec. 1)
13. Adds that ADE, in the annual CCEIP report, must include:
  - a. the number of students who receive a passing grade in a live course that provides the relevant instruction for a qualifying exam at each school;
  - b. the number and types of live courses for which bonus monies are distributed; and
  - c. the amount of bonus monies received by each school for qualifying live courses. (Sec. 1)
14. Appropriates a blank amount from the state GF in FY 2024 to ADE for CCEIP incentive bonuses. (Sec. 4)

#### ***Miscellaneous***

15. Exempts live courses from the statutory remote instructional time limitations for a school's ITM. (Sec. 3)
16. Adds that a school, in its ITM, may define instructional time and hours to include live, remote instruction. (Sec. 3)
17. Makes technical and conforming changes. (Sec. 1)

#### **Amendments**

##### ***Committee on Education and Committee on Appropriations***

1. Sets the appropriation at \$200,000.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DP 6-4-0-0

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**HB 2539: school choice; failing schools; notice**  
**Sponsor: Representative Pingerelli, LD 28**  
**Caucus & COW**

**Overview**

Creates the Arizona School Choice Division (Division) within the State Board of Education (SBE), outlines its duties and appropriates monies and FTEs to the Division. Alters and creates new public notification requirements for a D or F letter grade school.

**History**

As added by [Laws 2021, Chapter 404](#), SBE, subject to the availability of appropriated monies, is required to design a public awareness effort to distribute school choice and enrollment materials that: 1) communicate the ability to choose any Arizona public school; 2) include resources to learn about school choice options; and 3) instruct the public how to request enrollment for students. SBE may collaborate with public and private partners and the Arizona Department of Education (ADE) ([A.R.S. § 15-816.01](#)).

ADE, subject to final adoption by SBE, is required to annually compile an annual achievement profile that reflects the achievement for each public school and local education agency on the academic and educational performance indicators based on an A through F letter grade system ([A.R.S. § 15-241](#)).

Schools assigned a D or F letter grade are required to develop or modify an improvement plan and present that plan at a public meeting. Within 30 days of receiving a D or F letter grade, a school district or charter school must provide a notice of the classification to each residence within the attendance area of the school or to the parents of students attending the charter school, respectively, that contains information about the improvement plan process and the public meeting ([A.R.S. § 15-241.02](#)).

**Provisions**

***Division***

1. Establishes the Division within SBE. (Sec. 1)
2. Directs the Division to implement a public awareness program that informs the public about:
  - a. a student's ability to choose any public school;
  - b. resources that explain school choice options; and
  - c. how to request enrollment for students. (Sec. 1)
3. Mandates the Division develop single-page informational pamphlets that:
  - a. educate parents on the available school choice options for students in kindergarten through the 12th grade; and
  - b. are available in physical and digital formats and, if digital, contain hyperlinks to websites that provide further information. (Sec. 1)
4. Instructs the Division to develop and annually update a handbook of specified school choice options that are available to students in kindergarten through the 12th grade. (Sec. 1)
5. Requires the Division to develop the failing school notification form and the school choice notification letter. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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6. Directs the Division to notify ADE if a charter school or school district that operates a D or F letter grade school submits, fails to submit or is late to submit compliance evidence within 60 days of letter grade assignment. (Sec. 1)
7. Tasks the Division with operating a centralized hotline to respond to school choice questions and details requirements for the hotline. (Sec. 1)
8. Mandates the Division collaborate with public and private partners and ADE to achieve its statutory objectives. (Sec. 1)
9. Requires SBE and ADE to post in a conspicuous place on their websites the digital information pamphlet and school choice handbook. (Sec. 1)

***Failing School Notification and School Choice Notification Letter***

10. Requires SBE to develop a failing school notification form containing the following in English and Spanish:
  - a. a notice and explanation of the school's assigned letter grade and the data and scores that comprise the letter grade;
  - b. the average academic proficiency score and academic growth score used to calculate the letter grade;
  - c. a summary of the school improvement plan; and
  - d. the time and place of any public meeting in which the school's letter grade or improvement plan will be discussed. (Sec. 3)
11. Mandates SBE develop a school choice notification letter that contains:
  - a. the digital informational pamphlet developed by the Division; and
  - b. a list of nearby public schools that received an A, B or C letter grade and that serve the same grade levels as the D or F letter grade school. (Sec. 3)
12. Requires, within 60 days after receiving notification that a school has been assigned a D or F letter grade, a charter school governing body or school district governing board to:
  - a. complete the failing school notification form and send it to the parent of each student enrolled in the school;
  - b. send the school choice notification letter to the parent of each student enrolled in school; and
  - c. submit to SBE evidence of compliance with the notification requirements. (Sec. 2, 3)
13. Allows the required notifications to be delivered electronically if the school district or charter school ordinarily electronically communicates with students' parents. (Sec. 3)
14. Specifies electronic communications must contain hyperlinks to websites that provide further information. (Sec. 3)
15. Stipulates that if a school district or charter school does not comply with the notification requirements, ADE must suspend the distribution of Classroom Site Fund monies until SBE receives satisfactory compliance evidence. (Sec. 3)
16. Replaces the requirement that ADE publish in a newspaper in each county at least twice each year a list of F letter grade schools with the requirement that ADE post on its website and all official communication channels a list of F letter grade schools. (Sec. 2)

***Arizona Department of Transportation (ADOT) Requirements***

17. Instructs ADOT, if a person moves to Arizona and initially registers a motor vehicle, to electronically deliver the digital informational pamphlet to the person. (Sec. 1)
18. Requires ADOT, by December 1, 2024, to electronically notify all existing Arizona motor vehicle registrants of the school choice options available to students in kindergarten through the 12th grade using the digital informational pamphlet created by the Division. (Sec. 5)

***Miscellaneous***

19. Appropriates \$600,000 and four FTE positions from the state General Fund in FY 2024 to the Division. (Sec. 6)
20. Requires the Division to use at least \$100,000 of the \$600,000 appropriation to contract with individuals or entities to develop and implement the Division's requirements. (Sec. 6)
21. Deletes language requiring SBE to design a public awareness effort to distribute materials relating to school choice and enrollment. (Sec. 4)
22. Defines *nearby*. (Sec. 3)
23. Makes technical and conforming changes. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DPA/SE 8-0-0-2

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**HB 2620: technical correction; education; extended year**  
**S/E: private residential facilities; instructional days**  
**Sponsor: Representative Martinez, LD 16**  
**Caucus & COW**

**Summary of the Strike-Everything Amendment to HB 2620**

**Overview**

Allows a private residential facility to offer at least 200 instructional days and increase its base level by 5%, subject to prescribed criteria.

**History**

School districts and charter schools (public schools) must have annual instructional calendars that are at least 180 days each year (A.R.S. §§ [15-341.01](#), [15-901](#)). Statute allows a public school, subject to approval by the Arizona Department of Education (ADE), to provide 200 instructional days and consequently increase its base level by 5%. To receive the 5% base level increase, the public school must also increase its annual instructional hours by 10% ([A.R.S. § 15-902.04](#)).

A *private residential facility* is a licensed private facility that is either approved by the ADE Division of Special Education (Division) for special education placements or is a facility accredited by the North Central Association of Colleges and Secondary Schools ([A.R.S. § 15-1181](#)).

A child may be placed by state placing agencies (e.g., the Arizona Department of Juvenile Corrections) in a private residential facility for care, safety or treatment purposes or educational needs. Statute details evaluation requirements for the state placing agency and the home school district to identify if the child has a disability.

ADE pays for the educational services of children in private residential facilities through an education voucher for private placement (residential voucher). If approved by the director of the Division, the residential voucher is paid directly to the private residential facility. Residential voucher amounts are calculated using the base level and are increased if the student has a disability (A.R.S. §§ [15-1183](#), [15-1184](#)).

The base level is annually adjusted by the Legislature and, for FY 2023, is \$4,775.27 ([A.R.S. § 15-901](#)).

**Provisions**

1. Adds that a private residential facility may provide at least 200 instructional days and increase its base level by 5%. (Sec. 1)
2. Subjects a private residential facility providing at least 200 instructional days to the same statutory requirements as public schools offering at least 200 instructional days. (Sec. 1)
3. Defines *private residential facility*. (Sec. 1)
4. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DP 8-0-0-2

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**HB 2635: application; threat assessments; resources; students**  
**Sponsor: Representative Grantham, LD 14**  
**Caucus & COW**

## **Overview**

Authorizes a school district governing board (governing board) to develop or purchase a digital application to assist with threat assessments.

## **History**

A governing board, in conjunction with local law enforcement and emergency response agencies, must develop an emergency response plan for each school. Additionally, a governing board is required to report to local law enforcement agencies any suspected crime against a person or property meeting prescribed criteria, such as being a serious offense, involving a deadly weapon or posing a threat of death or serious physical injury.

Statute directs governing boards to enforce procedures to prohibit students from harassing, intimidating or bullying other students on school property, at school-sponsored events or through the use of electronic technology or communication on school computers, networks, forums or mailing lists. These procedures must: 1) allow students, parents and school district employees to confidentially report incidents; 2) require school officials to provide an alleged victim with a written copy of the rights and support services available; and 3) include a formal documentation process for reported incidents ([A.R.S. § 15-341](#)).

In consultation with mental health experts, mental health advocacy organizations and the Arizona Department of Education, the State Board of Education must require that all health education instruction include mental health instruction ([A.R.S. § 15-701.03](#)). Additionally, high school identification cards issued by schools must include the number for a national suicide prevention lifeline, national network of local crisis centers or local suicide prevention hotline or a statement describing how to access a text-based emotional support service ([A.R.S. § 15-160](#)).

## **Provisions**

1. Allows a governing board to develop or purchase a digital application to assist with threat assessments that:
  - a) allows students to report safety issues and receive anonymous clinical support that is available at all times; and
  - b) provides resources to students and parents for mental health, bullying and substance misuse issues. (Sec. 1)
2. Makes conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DP 8-1-0-1

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## **HB 2663: school districts; organizational meeting; deadline**

**Sponsor: Representative Pawlik, LD 13**

**Caucus & COW**

### **Overview**

Modifies the dates in which a school district governing board (governing board) is required to have an organizational meeting.

### **History**

After the election is held to elect governing board members, statute requires the governing board to meet between January 1 and January 15 for an organizational meeting. This meeting must be held at the most convenient public school district facility or, if such a facility is not available, at any available public facility that is convenient to all governing board members. At the organizational meeting, the governing board must elect a president from among its membership ([A.R.S. § 15-321](#)).

### **Provisions**

1. Alters the timeframe in which a governing board must convene for its organizational meeting from between January 1 and January 15 to any date in January. (Sec. 1)
2. Makes technical changes. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DP 6-3-0-1

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**HB 2705: schools; safety training; pilot program**  
**Sponsor: Representative Biasiucci, LD 30**  
**Caucus & COW**

## **Overview**

Establishes the School Active Threat Response Pilot Program (Pilot Program) within the Arizona Department of Education (ADE). Appropriates monies to ADE for the Pilot Program.

## **History**

A school district governing board, in conjunction with local law enforcement and emergency response agencies, must develop an emergency response plan for each school in accordance with established minimum standards ([A.R.S. § 15-341](#)).

The School Safety Program within ADE supports the costs of placing school resource officers (SROs), juvenile probation officers (JPOs) and school counselors and social workers. If a school applies for funding for an SRO or JPO, its proposal must include: 1) a detailed description of safety needs; 2) a plan to use trained SROs or JPOs, or both; and 3) if the school has previously participated, information on the success of the most recent grant ([A.R.S. § 15-154](#)).

Additionally, ADE is required to conduct a random survey of school districts on school safety every four years and submit a report summarizing the results ([A.R.S. § 15-231.03](#)).

## **Provisions**

1. Creates the Pilot Program in ADE to provide school safety training and support to school districts and charter schools. (Sec. 1)
2. Instructs ADE to develop training for teachers and administrators that includes:
  - a. recognition of early warning signs of an imminent threat;
  - b. emergency response to active threats; and
  - c. firearm safety training. (Sec. 1)
3. Requires ADE to establish procedures for school districts and charter schools to opt into the Pilot Program. (Sec. 1)
4. Directs ADE, subject to available monies, to provide school districts and charter schools that have opted into the Pilot Program with the training developed by ADE and medical response equipment or reimbursement for the purchase of medical response equipment related to school active threat response training and preparedness. (Sec. 1)
5. Allows ADE to adopt policies and procedures to carry out the Pilot Program. (Sec. 1)
6. Repeals the Pilot Program on January 1, 2028. (Sec. 1)
7. Appropriates \$10,000,000 from the state General Fund (GF) in FY 2024 to ADE for the Pilot Program. (Sec. 2)
8. Exempts the appropriation from lapsing, except all unencumbered or unexpended monies on December 31, 2027 revert to the state GF. (Sec. 2)





# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DPA 8-0-1-1

## **HB 2753: graduate medical education; residency programs**

**Sponsor: Representative Peña, LD 23**

**Caucus & COW**

### **Overview**

Requires the Arizona Area Health Education System (System) to establish a program for qualifying health centers and rural health clinics that supports the expansion of primary care residency programs. Appropriates monies to the System for specified programs.

### **History**

#### **System**

Established in the University of Arizona College of Medicine by the Arizona Board of Regents (ABOR), the System consists of six area health education centers, five of which represent a geographic area with identified populations that lack services by the health care professions and one representing the Indian health care delivery system. Each center conducts physician and other health professional education programs (such as undergraduate clinical training programs, graduate programs and postgraduate continuing education), programs to recruit and retain minority students in health professions and continuing education programs for health professionals. The System provides administrative services to each center ([A.R.S. § 15-1643](#)).

#### **Primary Care Graduate Medical Education (GME)**

[Laws 2021, Chapter 81](#) directs the Arizona Health Care Cost Containment System (AHCCCS) to establish, contingent on approval by the Centers for Medicare and Medicaid Services, a separate GME program to reimburse qualifying community health centers and rural health clinics that have an approved primary care GME program. AHCCCS must distribute monies appropriated for GME to approved centers and clinics for the costs of approved primary care GME programs. Additionally, AHCCCS must coordinate with local, county and tribal governments and universities under ABOR's jurisdiction that provide funding (in addition to state General Fund (GF) monies appropriated for primary care GME) in order to qualify for additional matching federal monies.

A *qualifying community health center* is a community-based primary care facility that provides medical care in or to medically underserved areas or populations through the employment of specified health professionals ([A.R.S. § 36-2907.06](#)).

GME is a program that prepares a physician for the independent practice of medicine by providing didactic and clinical education in a medical discipline to a medical student who has completed a recognized undergraduate medical education program ([A.R.S. § 36-2901](#)).

### **Provisions**

#### **System Program to Expand Primary Care Residency Programs**

1. Instructs the System, by March 1, 2024, to establish a program for qualifying community health centers and rural health clinics that:
  - a. supports and expands the number of primary care residency positions;
  - b. provides support and technical assistance for starting or expanding primary care residency programs in rural areas and health professional shortage areas; and
  - c. facilitates information and resource sharing and provides training and technical assistance to support the success of qualifying community health center and rural health clinic primary care residency programs. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

2. Defines *primary care*. (Sec. 1)
3. Appropriates \$5,000,000 onetime from the state GF in FY 2024 to the System for the program to expand primary care residency programs for qualifying community health centers and rural health clinics. (Sec. 2)
4. Authorizes the System to use up to \$500,000 of the appropriation to support a collaborative of qualifying community health centers' and rural health clinics' primary care residency programs. (Sec. 2)
5. Exempts the appropriation from lapsing. (Sec. 2)

***Primary Care GME at Qualifying Community Health Centers and Rural Health Clinics***

6. Appropriates \$5,000,000 from the state General Fund in FYs 2024-2026 to AHCCCS for the direct and indirect costs of primary care GME at qualifying community health centers and rural health clinics. (Sec. 3)
7. Exempts the appropriation from lapsing. (Sec. 3)

***Miscellaneous***

8. Makes conforming changes. (Sec. 1)

**Amendments**

*Committee on Education*

1. Changes the time the System must establish the program to expand primary care residency programs from March 1, 2024 to May 1, 2024.
2. Adds tribal health facilities to the entities eligible to participate in the System program to expand primary care residency programs.
3. Adds that the \$5,000,000 appropriation in FYs 2024-2026 to AHCCCS may also be used for the costs of primary care GME at tribal health facilities.
4. Defines *tribal health facility*.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: ED DP 6-4-0-0

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## **HB 2786: teacher training; parental notification; requirements**

**Sponsor: Representative Heap, LD 10**

**Caucus & COW**

### **Overview**

Mandates a school district governing board (governing board) develop parental notification and access procedures if the school district is involved with a training for teachers or administrators.

### **History**

A governing board, in consultation with parents, teachers and administrators, must adopt a policy to promote the involvement of parents of children enrolled in the school district. This policy must contain procedures for parents to: 1) learn about their child's course of study and review learning materials; 2) have access to the school's library collection and books and materials borrowed by their child; 3) withdraw their child from any learning materials or activities to which the parent objects; and 4) learn about parental rights and responsibilities. Currently, a governing board *may* adopt a policy to provide parents this information in an electronic format.

A parent must submit a written request for the information contained in the parental involvement policy to the school principal or school superintendent. The principal or superintendent must, within 10 days after receiving the request, either deliver the information or submit an explanation detailing the reasons for denying the parent's request. A parent may request the information in writing from the governing board if their request is denied or if the information is not received within 15 days of submitting the request to the principal or superintendent ([A.R.S. § 15-102](#)).

### **Provisions**

1. Requires a governing board, as part of its parental involvement policy, to include procedures to do the following if the school district requires, endorses, recommends, encourages, funds, facilitates or provides a training for teachers or school administrators:
  - a. notify parents of the training; and
  - b. give parents access to any printed or digital materials used for the training. (Sec. 1)
2. Defines *training* to:
  - a. mean a class, seminar, webinar, in-person instruction or printed or digital material that addresses curricula, teaching methods, classroom strategies, student discipline, learning environment or social and emotional learning; and
  - b. exclude training in which the teacher or school administrator participates outside of the context of their official duties. (Sec. 1)
3. Requires, rather than allows, a governing board to adopt a policy to provide parents the information contained its parental involvement policy in an electronic format. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: GOV DP 5-4-0-0

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**HB 2471: government investments; plans; fiduciaries; products**  
**Sponsor: Representative Montenegro, LD 29**  
**Caucus & COW**

## **Overview**

Outlines requirements for the State Treasurer, a fiduciary and other government entities responsibilities and duties in respect to a plan.

## **History**

The [Office of the State Treasurer](#) is responsible for the banking and investment management duties for the State of Arizona, provides investment services to local governments and exclusively manages the Permanent Land Endowment.

Currently, statute outlines the State Treasurer is responsible for the safekeeping of all securities acquired by him and those for which he is the lawful custodian. The State Treasurer can also enter into an agreement with investment managers to invest treasury monies or with advisors to recommend investment strategies or tactics for the investment of treasury monies, including legal advisors and software to assist with the analysis, tracking and trading of securities. Investment managers are required to regularly account for, itemize and inventory all securities and report the findings to the State Treasurer at least monthly or on demand (A.R.S. §§ [35-317](#) and [33-318](#)).

## **Provisions**

### ***State Treasurer***

1. Requires the State Treasurer to post a current list of state investments by name and investment managers on the State Treasurer's website and update any changes within a reasonable period of time. (Sec. 1)
2. Asserts that all state investments are to be made in the sole interest of the taxpayers. (Sec. 1)
3. Stipulates an investment evaluation, conducted by the State Treasurer, must be based on pecuniary factors and must not promote nonpecuniary benefits or other nonpecuniary social goals or take unnecessary investment risks. (Sec. 1)

### ***Fiduciary***

4. Requires a fiduciary to carry out its duties with respect to a plan solely in the interest of the participants and beneficiaries of the plan for the exclusive purpose of providing pecuniary benefits to the participants and their beneficiaries, while defraying reasonable expenses of administering the plan and earning a return on the investment. (Sec. 2)
5. Instructs a fiduciary to only consider pecuniary factors when carrying out its duties or evaluating an investment with respect to a plan. (Sec. 2)
6. Restricts a fiduciary from considering nonpecuniary or other factors when evaluating an investment. (Sec. 2)

### ***Government Entities***

7. Asserts that a governmental entity that establishes or maintains a plan can only vote the shares held by the plan. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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8. Prohibits a governmental entity from granting proxy voting authority to any person who is not a part of the governmental entity unless that person follows established guidelines. (Sec. 2)
9. Stipulates the shares held directly or indirectly by a plan must be voted only in the pecuniary interest of the plan. (Sec. 2)
10. States shares may not be voted to further nonpecuniary, environmental, social, political, ideological or other benefits or goals. (Sec. 2)
11. States a plan must not entrust any assets to a fiduciary who has a practice of:
  - a. engaging with, or commits to engage with, a company based on nonpecuniary factors; and
  - b. voting shares based on nonpecuniary factors. (Sec. 2)
12. Prohibits a fiduciary from following the recommendations of a proxy advisor firm or other service provider unless their voting guidelines are consistent with the fiduciary's obligation to only consider pecuniary factors. (Sec.2)
13. Defines the following terms:
  - a. *Fiduciary*;
  - b. *Nonpecuniary factor*;
  - c. *Pecuniary factor*; and
  - d. *Plan*. (Sec. 2)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: GOV DPA 9-0-0-0

## **HB 2551: county salaries; approval** **Sponsor: Representative Griffin, LD 19** **Caucus & COW**

### **Overview**

Requires, beginning January 1, 2025, the County Board of Supervisors (Board) to approve an increase in specified county officer salary.

### **History**

Currently, statute prescribes, by county population, the salaries for county officers ([A.R.S. § 11-419](#)). These salaries were last increased in the 2021 Legislative Session. The annual salaries for county officers beginning January 1, 2025 are as follows:

Counties with a population of 500,000 or more persons	
Officer	Annual Salary
Attorney	\$143,678
Assessor	\$96,600
Recorder	\$96,600
Sheriff	\$120,824
Superintendent of schools	\$96,600
Supervisor	\$96,600
Treasurer	\$96,600

Counties with a population of less than 500,000 persons	
Officer	Annual Salary
Attorney	\$143,678
Assessor	\$83,800
Recorder	\$83,800
Sheriff	\$120,824
Superintendent of schools	\$83,800
Supervisor	\$83,800
Treasurer	\$83,800

### **Provisions**

1. Instructs the Board in each county to approve an increase in salary for the following county officers:
  - a. Attorney;
  - b. Assessor;
  - c. Recorder;
  - d. Sheriff;
  - e. Superintendent of schools;
  - f. Supervisors; and
  - g. Treasurer. (Sec. 1)
2. Authorizes the Board to approve a salary increase less than statutorily required but must not be less than the officers current salary. (Sec. 1)
3. States this act applies to salary increases beginning January 1, 2025. (Sec. 2)

### **Amendments**

*Committee on Government*

1. Allows the Board to approve a salary increase based on county fiscal considerations beginning January 1, 2025.

☐ Prop 105 (45 votes)    ☐ Prop 108 (40 votes)    ☐ Emergency (40 votes)    ☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: GOV DP 9-0-0-0

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**HB 2587: governor's declaration; fiscal impact analysis**  
**Sponsor: Representative Payne, LD 27**  
**Caucus & COW**

**Overview**

Prohibits the State Treasurer from withholding any state shared revenues from a city with a convention center (eligible city) during a state of emergency declaration.

**History**

Statute establishes the Arizona Convention Center Development Fund to encourage and enable eligible cities to expand and develop municipally operated major convention center facilities that are designed to serve trade shows and large conventions attended primarily by residents of other states and to encourage the visitor and tourism industries in Arizona ([A.R.S. § 9-601](#)).

Statute states a city that is eligible to receive distributions from the Arizona Convention Center Development Fund must be a charter city, have a population of more than one million people at the time of distribution and more than 555,000 people at the time of initial distribution and operate a convention center facility with at least 200,000 square feet of exhibition space constructed with monies from municipal sources ([A.R.S. 9-604](#)).

**Provisions**

1. Prohibits the State Treasurer from withholding state shared revenues from an eligible city that failed to meet statutory requirements in any year in which the Governor declared a state of war emergency or a public health emergency. (Sec. 1)
2. Requires OAG to assume the following when conducting an estimate or analysis of the economic impact of any eligible project in the years following the initial emergency declaration:
  - a. The eligible city satisfied the minimum required attendance in the year of the emergency declaration and the following year; and
  - b. The incremental revenues to the state General Fund in any year of an initial emergency declaration and the following year at least equaled the amount of distributions by the state. (Sec. 1)
3. Contains a retroactivity clause of January 1, 2020. (Sec. 2)
4. Makes  
a conforming change. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: GOV DP 8-1-0-0

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**HCR 2016: article V convention; term limits**  
**Sponsor: Representative Cook, LD 7**  
**Caucus & COW**

## **Overview**

States Arizona formally applies for an Article V Convention on congressional term limits.

## **History**

Article V of the U.S. Constitution sets procedures for amending the Constitution. Article V establishes two methods for proposing amendments to the Constitution:

- 1) the first method requires both the House and Senate to propose a constitutional amendment by a vote of two-thirds of the members present; and
- 2) alternatively, Article V provides that Congress will call a convention for proposing amendments upon the request of two-thirds of the state legislatures ([U.S. Const. art. V](#)).

Since 1960, the states have submitted more than 180 applications for Article V conventions on various subjects. However, Congress has never deemed Article V's threshold for calling a convention to be met ([Clerk U.S. House of Representatives](#)).

Currently, five states have passed applications solely specific to congressional term limits:

- 1) Alabama;
- 2) Florida;
- 3) Missouri;
- 4) West Virginia; and
- 5) Wisconsin ([Clerk U.S. House of Representatives](#)).

Fourteen states have passed congressional term limits specific language as part of a multi-subject application ([Clerk U.S. House of Representatives](#)).

## **Provisions**

1. Sends an application to call for a limited convention to propose a constitutional amendment to limit the number of terms a person may be elected to the U.S. Congress.
2. Directs the Secretary of State to transmit this resolution to:
  - a) the President of the U.S. Senate;
  - b) the Speaker of the U.S. House of Representatives;
  - c) the Secretary of the U.S. Senate;
  - d) the Clerk of the U.S. House of Representatives Senate;
  - e) the Chairperson of the House Committee on Judiciary;
  - f) each member of Congress from the State of Arizona; and
  - g) the presiding officer of each legislative house in each state.
3. States this application be considered as covering the same subject matter as the applications from other states regarding congressional term limits.
4. States this application be aggregated with the applications of other states for the purpose of calling a limited convention on congressional term limits.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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5. States this application may not be aggregated with applications of different subjects.
6. Stipulates that the resolution constitutes as a continuing application until the legislatures of at least two-thirds of the states have been submitted.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: GOV DP 9-0-0-0

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**[HCR 2037](#): Assyrian New Year; recognizing  
Sponsor: Representative Schwiebert, LD 2  
Caucus & COW**

**Overview**

Designates April 1<sup>st</sup>, 2023, as Assyrian New Year.

**History**

The Assyrian New Year, also known as Kha b'Nissan, marked the start of Spring. The holiday is a symbol of revival, a major theme in ancient Assyrian mythology ([Assyrian Cultural Foundation](#)).

Assyria was located in the northern part of Mesopotamia, which corresponds to most parts of modern-day Iraq as well as parts of Iran, Kuwait, Syria and Turkey ([National Geographic](#)).

**Provisions**

1. Recognizes April 1st, 2023, as Assyrian New Year.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: GOV DP 5-4-0-0

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**HCR 2039: governor; state of emergency**  
**Sponsor: Representative Chaplik, LD 3**  
**Caucus & COW**

## **Overview**

Amends the Arizona constitution to alter the state of emergency extension process.

## **History**

The Governor may proclaim a state of emergency, which takes effect immediately in an area affected or likely to be affected ([A.R.S. § 26-303](#)).

The Governor may extend the state of emergency for no more than one hundred twenty days, but any extension may not be for a period of more than thirty days. The state of emergency will terminate after one hundred twenty days, unless the state of emergency is extended, in whole or in part, by passage of a concurrent resolution of the Legislature ([A.R.S. § 26-303](#)).

Except for state of emergency for a public health emergency, the powers granted to the Governor terminate when the state of emergency is terminated by the Governor or by a concurrent resolution of the Legislature ([A.R.S. § 26-303](#)).

The Legislature may extend the state of emergency for public health emergency as many times as necessary by concurrent resolution, but any extension may not be for a period of more than thirty days. If a state of emergency for a public health emergency is not extended, the Governor may not proclaim a new state of emergency based on the same conditions without the passage of a concurrent resolution by the Legislature consenting to the new state of emergency ([A.R.S. § 26-303](#)).

## **Provisions**

1. States the Governor may proclaim a state of emergency.
2. Stipulates a state of emergency and the Governor's emergency powers terminate, except for a state of war emergency:
  - a) 30 days after a state of emergency is proclaimed, if not extended by the Legislature; and
  - b) when the Governor or a concurrent resolution of the Legislature declares it has ended.
3. Mandates the Governor call a special session, if the state of emergency was not extended, on or before the 10th day after the start date of the state of emergency, to determine whether to extend the emergency and the emergency powers of the Governor:
  - a. the Legislature may extend the state of emergency and the emergency powers granted to the Governor as many times as necessary;
  - b. any extension cannot exceed 30 days; and
  - c. if there is no extension, then the Governor may not proclaim a new state of emergency arising out of the same conditions one was terminated for.
4. Stipulates the Secretary of State will submit this proposition to the voters at the next general election.
5. Makes technical changes.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: HHS DPA 6-3-0-0

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## **HB 2043: physician assistants; supervision; collaboration**

**Sponsor: Representative Bliss, LD 1**

**Caucus & COW**

### **Overview**

Permits, beginning January 1, 2024, physician assistants with at least 6,000 hours of clinical practice certified by the Arizona Regulatory Board of Physician Assistants (Board) to practice with a collaborating physician or entity without a supervision agreement. Subjects a physician assistant with less than 6,000 hours of Board-certified clinical practice to work under a supervision agreement.

### **History**

The Board is authorized to license and regulate physician assistants. Physician assistants are licensed to practice medicine within the scope of their supervising physician's area of practice. A physician assistant may perform those duties and responsibilities, including the ordering, prescribing, dispensing and administration of drugs and medical devices that are delegated by the supervising physician. A physician assistant may provide any medical services that are delegated by the supervising physician if the service is within the physician assistant's skills, scope of practice and supervised by the physician. Physician assistants may pronounce death and is the physician's agent in the performance in all practice related activities, including the ordering of diagnostic, therapeutic and other medical services. These health professionals may practice in any setting authorized by the supervising physician (A.R.S. §§ [32-2504](#) and [32-2531](#)).

### **Provisions**

#### ***Collaborative Physician Assistants***

1. Outlines the scope of practice for collaborative physician assistants with at least 6,000 hours of clinical practice certified by the Board. (Sec. 3)
2. Asserts that a physician assistant with at least 6,000 hours of Board-certified clinical practice is not required to practice pursuant to a supervision agreement, but must continue to collaborate, consult or refer to the appropriate health care professional as indicated by the patient's condition and by the physician assistant's education, experience and competencies. (Sec. 3)
3. Specifies that the level of collaboration is determined by the policies of the practice setting at which the physician assistant is employed, including a physician employer, group practice or health care institution. (Sec. 3)
4. Permits collaboration, consultation or referrals to occur through electronic means and does not require the physical presence of the appropriate health care professional at the time or place the physician assistant provides medical services. (Sec. 3)
5. Stipulates that this does not prohibit a physician assistant with at least 6,000 hours of Board-certified clinical practice from practicing pursuant to a supervision agreement. (Sec. 3)
6. Requires physician assistants who are in good standing and with at least 6,000 clinical practice hours within the previous five years in this state or another jurisdiction to provide to the Board documentation of having completed 6,000 clinical hours to practice collaboratively. (Sec. 9)
7. Allows the Board, at its discretion, to develop a policy that sets forth the process including attestation or documentation required as proof of completion and issuance of certification of completion of at least 6,000 clinical practice hours. (Sec. 9)

### ***Supervision Agreements***

8. Requires a physician assistant with less than 6,000 hours of Board-certified clinical practice to work in accordance with a supervision agreement that describes the physician's scope of practice. (Sec. 3)
9. Prohibits physician assistants from performing health care tasks until they have completed and signed a supervision agreement. (Sec. 3)
10. Permits supervision to occur through electronic means and does not require the physical presence of the appropriate health care professional at the time or place the physician assistant provides medical services while under a supervision agreement. (Sec. 3)
11. Requires the supervision agreement to be kept on file at the main location of the physician assistant's practice and, on request, be made available to the Board or their representative. (Sec. 3)
12. Specifies that a physician assistant is no longer subject to the supervision agreement requirements upon receipt of Board certification that they have completed at least 6,000 hours of clinical practice. (Sec. 3)
13. Allows the Board to count practice hours earned in another jurisdiction toward the required hours for clinical practice. (Sec. 3)
14. Asserts that a physician assistant who does not practice pursuant to a supervision agreement is legally responsible for the health care services performed by them. (Sec. 3)
15. Requires the supervision agreement to specify the physician assistant's ability to prescribe, dispense or administer a schedule II, III, IV or V controlled substance or prescription-only medication. (Sec. 4)
16. States that a supervising physician is responsible for all aspects of the physician assistant's performance who has less than 6,000 hours of clinical practice, whether the supervising physician pays the physician assistant a salary. (Sec. 5)
17. Removes the number of physician assistant's that a physician may supervise. (Sec. 5)
18. States that a physician assistant is not required to have completed 6,000 clinical practice hours if providing medical care in response to a natural disaster, accident or other emergency. (Sec. 8)

### ***Miscellaneous***

19. Defines *collaborative physician or entity*. (Sec. 1)
20. Defines *supervision agreement*. (Sec. 1)
21. Modifies terms. (Sec. 1)
22. Deems it *unprofessional conduct* for physician assistants to perform health care tasks that do not meet applicable supervision or collaboration requirements. (Sec. 1)
23. Modifies Board membership to include two licensed Medical Doctors and two licensed Osteopathic Physicians who are actively engaged in the practice of medicine and that collaborate with physician assistants. (Sec. 2)
24. Allows a supervising physician, collaborating physician or entity to contest the imposition of a civil penalty issued by the Board. (Sec. 3)
25. Specifies that a physician assistant may not dispense, prescribe or refill prescription-only drugs for a period exceeding one year for each patient. (Sec. 4)
26. Requires the Board to advise the Arizona State Board of Pharmacy and the U.S. Drug Enforcement Administration of all the physician assistant's authorized to prescribe or dispense drugs and any modification of their authority. (Sec. 4)
27. Repeals statute relating to physician assistant's initiation of practice. (Sec. 6)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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28. Allows physician assistants to bill and receive direct payment for their professional services. (Sec. 7)
29. Specifies that if the Board begins an investigation, it may require the physician assistant to promptly provide the name and address of the supervising physician or collaborating physician or entity, as applicable. (Sec. 10)
30. Allows the Board or, if delegated by the Board, the executive director to require a mental, physical or medical competency examination or any combination of those examination or investigations for a collaborating physician or physician representative of the collaborating entity, as applicable. (Sec. 10)
31. Exempts the Board from rulemaking requirements for one year after the effective date of this act. (Sec. 11)
32. Contains an effective date of January 1, 2024. (Sec. 12)
33. Makes technical and conforming changes. (Sec. 1-5, 8,10)

#### **Amendments**

##### *Committee on Health & Human Services*

1. Increases the number of hours a physician assistant must meet to practice collaboratively from 6,000 to 8,000.
2. Reinserts that a supervising physician cannot supervise more than six physician assistants at the same time.
3. Specifies that physician assistants who are in good standing, have graduated from an accredited physician assistant program in the United States and with at least 8,000 clinical practice hours within the previous five years in this state or another jurisdiction to provide to the Board documentation of having completed those hours to practice collaboratively.
4. Requires the Board to develop an alternative comparable standard for certification of the 8,000 hours for physician assistants who have been actively practicing for more than five years.
5. Directs the Board to adopt rules establishing certification standards or requirements for physician assistants who have previously completed the 8,000 certified hours and who are seeking employment with a collaborating physician or entity for a position not substantially similar to the practice setting or specialty in which they were certified.
6. Requires the certification standards or requirements must ensure appropriate training and oversight, including a supervision agreement if warranted for the physician assistant new practice setting or environment.
7. Makes technical and conforming changes.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: HHS DP 9-0-0-0 | APPROPS DPA 11-1-3-0

## **HB 2053: nurse-home visitation; program; appropriations**

**Sponsor: Representative Bliss, LD 1**

**Caucus & COW**

### **Overview**

Establishes an evidence-based Nurse-Home Visitor Grant Program (Grant Program) within the Department of Child Safety (DCS). Appropriates \$15,000,000 from the state General Fund (GF) in FY 2024 to DCS to award grant monies to eligible organizations to provide voluntary, evidence-based nurse-home visiting services for a three-year period to first-time, low-income expectant mothers.

### **History**

DCS's purpose is to protect children by doing the following: 1) investigate reports of abuse and neglect; 2) assess, promote and support the safety of a child in a safe and stable family or other appropriate placement in response to allegations of abuse or neglect; 3) work cooperatively with law enforcement regarding reports that include criminal conduct allegations; and 4) without compromising child safety, coordinate services to achieve and maintain permanency on behalf of the child, strengthen the family and provide prevention, intervention and treatment services ([A.R.S. § 8-451](#)).

### **Provisions**

1. Establishes the Grant Program within DCS to prevent child maltreatment and neglect, improve maternal and child health and promote families' economic mobility. (Sec. 1)
2. Requires DCS to award grant monies to at least one eligible organization to provide voluntary, evidence-based nurse-home visiting services for a three-year period to first-time, low-income expectant mothers who voluntarily enroll before their third trimester. (Sec. 1)
3. Specifies that evidence-based nurse-home visiting services include:
  - a. assessments and screenings;
  - b. care coordination;
  - c. case management;
  - d. preventive education and counseling;
  - e. nurse-delivered interventions and referrals to health and human services;
  - f. educational or job development resources; and
  - g. other appropriate supports. (Sec. 1)
4. Specifies that the evidence-based nurse-home visiting services must be available through the second birthday of children born to participating new mothers. (Sec. 1)
5. States that organizations that are eligible to receive a grant include public and private entities, nonprofit organizations, tribal nations, county and other local government entities. (Sec. 1)
6. Outlines criteria for DCS to consider when determining which organizations should receive monies through the Grant Program. (Sec. 1)
7. Requires grant recipients to submit to DCS data collected as standard practice in the course of service delivery and related to all the following:
  - a. maternal and newborn health;
  - b. child injuries, maltreatment and emergency department visits for accidental injuries;
  - c. child development and school readiness;

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

- d. exposure to crime or domestic violence;
  - e. family economic self-sufficiency; and
  - f. coordination with and referrals to other community resources and supports. (Sec. 1)
8. Instructs DCS to publish a report by August 1 for the next four years containing the following information from the previous year:
    - a) the number of grants awarded, the recipient organizations and the number of expected participants to be served;
    - b) the number of newly enrolled participants;
    - c) the number of visits recipient organizations made to enrolled participants; and
    - d) other data and information related to the health and well-being of participating mothers and their children. (Sec. 1)
  9. Appropriates \$15,000,000 and an unspecified number of FTEs in FY 2024 from the state GF to DCS to administer the Grant Program. (Sec. 2)
  10. Sets an unspecified number of appropriated monies to DCS to use for administrative costs. (Sec. 2)
  11. Exempts the appropriation from lapsing and reverts any remaining monies back to the state GF on January 1, 2028. (Sec. 2)
  12. Contains legislative findings. (Sec. 3)
  13. Terminates the Grant Program on January 1, 2028. (Sec. 1)

#### **Amendments**

##### *Committee on Appropriations*

1. Appropriates 5 FTEs from state GF in FY2024 to DCS to administer the Grant Program.
2. Allows DCS to use up to \$382,500 appropriated in fiscal years 2024 through 2026 for administrative costs.
3. Changes the report date for DCS from August 1 to August 31 for the next three years.
4. Modifies reporting requirements and data collections.





# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: HHS DPA/SE 7-2-0-0

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**HB 2227: child care monies; eligible organizations**  
**S/E: eligible organizations; registration; childcare monies**  
**Sponsor: Representative Gress, LD 4**  
**Caucus & COW**

## **Summary of the Strike-Everything Amendment to HB 2227**

### **Overview**

Exempts out-of-school time program providers (OST Providers) from licensure if they meet certain criteria and allows the Arizona Department of Health Services (DHS) to register OST Providers who are licensure exempt and seek to receive child care assistance through Child Care Development Fund (CCDF) monies received by the state. Requires the Arizona Department of Economic Security (DES), with approval from the federal government, to amend its CCDF Plan to allow OST Providers that meet specific criteria to receive child care assistance through monies received by the CCDF.

### **History**

CCDF monies provide services that improve and increase the quality and availability of early childhood education and child care before-and-after school care services. The CCDF Plan is written and approved on a triennial basis. The plan covers a three-year timeframe from the federal fiscal year (FFY) it is initially approved. The CCDF Plan is the application for CCDF funds and provides information on the *Lead Agency's* child care program and all services available to eligible families. DES serves as the *Lead Agency* to administer the CCDF program ([45 C.F.R. § 98.14\(d\)](#)).

Substantial changes to the CCDF Plan require an amendment to be approved pursuant to federal law ([45 C.F.R. 98.18\(b\)](#)). The law outlines procedures and timeframes for submitting an amendment to the CCDF Plan. Information on the CCDF Plan FFY 2022 through 2024 Amendment can be found [here](#).

According to the [Centers for Disease Control and Prevention](#) (CDC), *Out of School Time* is a supervised program that youth attend regularly when school is not in session, including before-and-after school programs on a school campus or facilities such as academic programs, specialty programs and multipurpose programs.

### **Provisions**

1. Exempts OST Providers from licensure if they meet the following requirements:
  - a. operates primarily after school, before school or in the summer or at times when school is not normally in session;
  - b. serves only school-age children;
  - c. is organized to promote expanded childhood learning, enrichment, child and youth development or educational, recreational or character-building activities;
  - d. adopts standards for the program that at a minimum include maximum staff-to-youth ratios, staff training, applicable state and local health and safety standards and mechanisms for assessing and enforcing the program's compliance with the standards; and
  - e. conducts state and national annual criminal background checks, sex offender registry checks and child abuse and neglect registry checks for all employees, board members and volunteers who work with children. (Sec. 2)
2. Allows DHS to register OST Providers who are exempt from licensure and seek to receive child care assistance through CCDF monies received by the state and meet all of the following:

- a. is in compliance with health and safety requirements established by the provider's national governing board;
  - b. conducts programs or portions of programs that operate primarily during times when school is not normally in session;
  - c. serves only school-age children;
  - d. is organized to promote expanded childhood learning, enrichment, child and youth development and other specified activities;
  - e. adopts standards for its programs that, at a minimum, include at least one youth development per twenty youth, staff training, applicable state and local health and safety standards and mechanisms for assessing and enforcing the program's compliance with the standards;
  - f. conducts state and national annual criminal background checks, sex offender registry and child abuse and neglect registry checks for all board members, employees and volunteers who work with children and make decisions based on the outcomes of those checks;
  - g. requires fingerprint clearance cards for all employees and volunteers working at the out-of-school time program;
  - h. regularly trains all employees in cardiopulmonary resuscitation and first aid;
  - i. requires that all of its employees are mandated child abuse reporters;
  - j. maintains health and safety policies and procedures for specified purposes;
  - k. obtains and maintains children's records, consistent with the provider's confidentiality policies that contains certain information;
  - l. maintains, for each organization operating a program, comprehensive, general liability and sexual misconduct insurance, each with a minimum policy limit of \$1,000,000 per occurrence and \$3,000,000 aggregate; and
  - m. has not had a child care facility license either denied in the preceding 12 months or revoked in the preceding five years. (Sec. 3)
3. Directs each registered OST Provider to file with DHS the most current health and safety requirements established by their national governing board. (Sec. 3)
  4. Allows DHS or its designee to visit and inspect a registered OST Provider during its hours of operation to determine if they are complying with statutory requirements and any applicable health and safety standards established by DHS. (Sec. 3)
  5. Requires DHS to make at least one unannounced visit annually. (Sec. 3)
  6. Permits DHS to deny, suspend or revoke a registration for a violation or any applicable health and safety standards established by DHS for OST Providers serving school-age children. (Sec. 3)
  7. Specifies that at least 30 days before DHS denies, suspends or revokes a registration, they must mail the applicant or registered OST Provider a notice of their right to a hearing. (Sec. 3)
  8. Requires DHS to issue the notice by registered mail with return receipt requested and the notice must state the hearing date and facts constituting the reasons for DHS's action and cite the specific statute or rule the OST Provider is violating. (Sec. 3)
  9. Specifies that if the registered OST Providers does not respond to the written notice, DHS, at the expiration of the time fixed in the notice must take the action prescribed in the notice. (Sec. 3)
  10. Stipulates that if the OST Provider, within the period fixed in the notice, conforms the application or operation to the applicable statute or rule, DHS may grant the registration or withdraw the notice of suspension or revocation. (Sec. 3)
  11. Adds that each registered OST Provider must comply with:
    - a. applicable health and safety standards established by DHS; and
    - b. any state tracking and reporting system required to receive child care assistance through CCDF monies. (Sec. 3)
  12. Modifies the definition of *child care personnel* and *child care providers* to include OST Providers that are registered with DHS. (Sec. 1, 4)

13. As session law, directs DES to amend its CCDF Plan, with federal government approval, to allow OST Providers that meet specific criteria to receive child care assistance through CCDF that the state receives. (Sec. 5)
14. Makes technical and conforming changes. (Sec. 2, 4)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: HHS DP 8-1-0-0 | APPROPS DP 13-1-0-1

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**HB 2338: AHCCCS; preventive dental care**  
**Sponsor: Representative Shah, LD 5**  
**Caucus & COW**

**Overview**

Requires the Arizona Health Care Cost Containment System (AHCCCS) contractors to provide preventive dental care to eligible individuals.

**History**

Established in 1981, AHCCCS is Arizona's Medicaid program that oversees contracted health plans for the delivery of health care to individuals and families who qualify for Medicaid and other medical assistance programs. Through contracted health plans across the state, AHCCCS delivers health care to qualifying individuals including low-income adults, their children or people with certain disabilities.

Currently, AHCCCS provides emergency dental care and extractions for individuals who are at least 21 years old in an annual amount of not more than \$1,000 per member and adult dental services that are eligible for a federal medical assistance percentage (FMAP) of 100% and that exceeds the \$1,000 limit for individuals treated at an Indian Health Service or tribal facility, subject to approval by the Centers for Medicare and Medicaid Services (CMS) ([A.R.S. § 36-2907](#)).

**Provisions**

1. Directs AHCCCS to provide preventive dental care to persons who are at least 21 years of age. (Sec. 1)
2. Clarifies that AHCCCS contractors must provide, subject to CMS approval, adult dental services that are eligible for a FMAP of 100% and that exceed the limit prescribed in or *are not covered under* the emergency dental care and preventive dental care benefit. (Sec. 1)
3. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: HHS DP 8-1-0-0

## **HB 2499: nutrition assistance; transition pilot program**

**Sponsor: Representative Gress, LD 4**

**Caucus & COW**

### **Overview**

Requires, within 60 days after the effective date, the Department of Economic Security (DES) to develop the Supplemental Nutrition Assistance Transition Pilot Program (Pilot Program) to provide nutrition assistance to individuals and families who no longer qualify for the Supplemental Nutrition Assistance Program (SNAP) produce incentive program and transitioning off receiving supplemental assistance.

### **History**

**SNAP** is a federal program that provides nutrition benefits to low-income individuals and families that are used at stores to purchase food. Individuals must apply in the state in which they currently live and meet certain requirements. DES receives and reviews applications of eligible recipients for SNAP benefits.

DES is authorized to plan, prepare and develop the infrastructure to implement a produce incentive program for SNAP enrollees to purchase eligible Arizona-grown fruits and vegetables at SNAP authorized farmer markets, farm stands, mobile markets, community supported agriculture sites, grocery stores and convenience stores ([A.R.S. § 46-231](#)).

### **Provisions**

1. Requires DES, within 60 days after the effective date, to develop a Pilot Program that provides nutrition assistance to individuals and families who no longer qualify for SNAP produce incentive program and are transitioning off receiving supplemental assistance. (Sec. 1)
2. Requires DES to establish criteria for receiving benefits under the Pilot Program, including:
  - a. the income threshold, over the federal poverty guideline requirements for supplemental nutrition assistance, qualifies an individual or family to receive nutrition assistance;
  - b. the length of time an individual or family has received supplemental nutritional assistance, before transitioning off SNAP; and
  - c. a process to determine those individuals and families who are currently receiving supplemental nutrition assistance benefits, who will need additional benefits and for what period of time to permanently transition off of SNAP. (Sec. 1)
3. Directs DES, by June 1 of 2024, 2025 and 2026, to submit a report on the progress of the Pilot program and whether transitional funding is needed to the Governor, Speaker of the House of Representatives, President of the Senate and Chairperson's of the House and Senate Health and Human Services Committees. (Sec. 1)
4. States DES can petition the federal government for federal grants or waivers to implement the Pilot Program. (Sec. 1)
5. Allows DES to use legislative appropriations, private donations, grants and federal monies to implement, support, promote and maintain the Pilot Program. (Sec. 1)
6. Repeals the Pilot Program on January 1, 2027. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: HHS DPA 9-0-0-0

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**HB 2530: substance exposure; pregnant women; neglect**  
**Sponsor: Representative Jones, LD 17**  
**Caucus & COW**

## **Overview**

Requires the Department of Child Safety (DCS) to refer a pregnant woman to the Department of Health Services (DHS) for referral to a provider for substance use treatment on receipt of a DCS intake hotline report involving substance use. Directs health care professionals to refer a pregnant woman to substance use services and supports to facilitate maternal and infant safety on a finding of the woman using a dangerous or narcotic drug.

## **History**

DCS must operate and maintain a centralized intake hotline to protect children by receiving at all times communications concerning suspected abuse or neglect. If a person communicates suspected abuse or neglect to a DCS employee other than through the hotline, the employee must refer the person or communication to the hotline.

A hotline worker must prepare a DCS report if the identity or current location of the child victim, the child's family or the person suspected of abuse or neglect is known or can be reasonably ascertained and all of the following are alleged: 1) the suspected conduct would constitute abuse or neglect; 2) the suspected victim of the conduct is under 18 years of age; 3) the suspected victim of the conduct is a resident of or present in Arizona; and 4) the person suspected of committing the abuse or neglect is the parent, guardian or custodian of the victim or an adult member of the victim's household ([A.R.S. § 8-455](#)).

Any individual who reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect that appears to have been inflicted by nonaccidental means must immediately report or cause reports to be made of this information to a peace officer, DCS, tribal law enforcement or social services agency. This duty to report applies to various health care professionals, law enforcement, child welfare workers, religious leaders, family members, supervisors, administrators, school personnel, advocates and any individuals who have responsibility for the care or treatment of the minor.

Specifically, health care professionals who after a routine newborn physical assessment of a newborn infant's health status or following notification of a positive toxicology screen, reasonably believes that the newborn infant may be affected by the presence of alcohol or drugs must immediately report this information on or cause a report to be made to DCS ([A.R.S. § 13-3620](#)).

## **Provisions**

1. Directs DCS to refer a pregnant woman to DHS for referral to a provider for substance use treatment upon receipt of a communication involving substance use. (Sec. 1)
2. Specifies that a receipt of a communication involving substance use by a pregnant woman may not result in an investigation of abuse or neglect. (Sec. 1)
3. States that on a finding of a pregnant woman using a dangerous or narcotic drug and subject to the statutory reporting requirements, a licensed or certified health care professional must refer the woman to substance use services and support to facilitate maternal and infant safety. (Sec. 2, 6)
4. Specifies that when determining if a child is neglected, consideration must be given to proof of maternal participation in substance use treatment certified by a health care professional. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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5. Adds that DCS, in partnership with the Arizona Health Care Cost Containment System, must consider pregnant woman whose substance abuse places her unborn child at risk of prenatal substance exposure when developing community programs for substance abuse treatment assistance. (Sec. 4)
6. Specifies that in addition to the reporting requirements for licensed health care professionals who reasonably believes that a newborn infant may be affected by the presence of alcohol or drugs, they must refer the woman to substance use services and support. (Sec. 5)
7. Makes technical and conforming changes. (Sec. 1, 3)

#### **Amendments**

##### *Committee on Health & Human Services*

1. Directs DCS to refer a pregnant woman to AHCCCS, rather than DHS, for a referral to a provider for substance use treatment if DCS receives a communication involving substance use.
2. Adds that a licensed or certified health care professional must refer a pregnant woman to substance use services and supports, to facilitate maternal and infant safety, upon a finding of a pregnant woman using alcohol.
3. Specifies that proof of maternal participation in substance use treatment certified by a health care professional is a mitigating factor when determining if a child is neglected.
4. Stipulates that prenatal indicators, drug use history or participation in substance use services and treatment alone, must not be the basis of a report of suspected neglect to DCS.
5. Makes technical and conforming changes.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: HHS DPA 9-0-0-0

## **HB 2559: DCS; federal benefits; dependent children.**

**Sponsor: Representative Montenegro, LD 29**

**Caucus & COW**

### **Overview**

Directs the Arizona Department of Child Safety (DCS) to determine eligibility for benefits administered by the Social Security Administration (SSA) or the U.S. Department of Veterans Affairs (VA) for all children in their care. Requires DCS to apply for those federal benefits on the children's behalf if they're deemed eligible.

### **History**

The primary purpose of DCS is to protect children. To achieve this, DCS will do and focus equally on: 1) investigating reports of abuse and neglect; 2) assessing, promoting and supporting the safety of a child in a safe and stable family or other appropriate placement in response to allegations of abuse and neglect; 3) cooperating with law enforcement regarding reports that include allegations of criminal conduct; and 4) coordinating services to achieve and maintain permanency for the child, strengthen the family and provide prevention, intervention and treatment services without compromising the child's safety ([A.R.S. § 8-451](#)).

[SSA](#) is responsible for administering the nation's primary income support programs for older adults and individuals with disabilities: Social Security and Supplemental Security Income. Each program has different rules that determine how funds can be accessed, used or managed.

[The VA](#) offers a variety of benefits to veterans of the U.S. Armed forces and to certain members of their families. These benefits include financial assistance, health care, education and housing. Certain criteria must be met to be eligible for benefits administered by the VA.

### **Provisions**

1. Directs DCS to determine eligibility for SSA or VA benefits for all children in their care. (Sec. 1)
2. Requires DCS to apply for SSA or VA benefits on the child's behalf if DCS determines they are eligible for those federal benefits. (Sec. 1)
3. Instructs DCS to determine the best representative payee for receiving the child's federal benefits. (Sec. 1)
4. Specifies that if DCS is serving as the representative payee it must:
  - a. not use the child's federal benefits to pay or reimburse themselves or the state for any costs of the child's care;
  - b. use the child's federal benefits for the child's unmet needs beyond what the agency is obligated or required to pay;
  - c. establish an appropriate special needs trust for each child who is receiving federal benefits or name the child a beneficiary of a pooled special needs trust and conserve the child's unspent benefits in a manner consistent with federal and state requirements for special need trusts and that appropriately avoid any federal asset or resource limit; and
  - d. provide an annual accounting of the child's federal benefits to the child, child's attorney and their parents or guardians in addition to the reporting and accounting requirements for custodial trustees. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



5. Specifies that the accounting must describe how and in what amount the child's federal benefits have been spent and conserved. (Sec. 1)
6. Requires DCS to notify the child, their parents, guardian and attorney of DCS's application for the child federal benefits. (Sec. 1)

#### **Amendments**

##### *Committee on Health & Human Services*

6. Removes certain authorities from the DCS Director, which includes using the monies to defray the cost of care and services expended by the Department for the benefit, welfare and best interests of the child and investing those monies that the Director determines are not necessary for immediate use.
7. Requires DCS to determine eligibility for a child's federal benefits within 60 days after they enter their care.
8. Specifies that if a child is already receiving benefits before entering the department's care or if the department applies for benefits on behalf of the child, DCS must identify, in consultation with the child and the child's attorney, a representative payee in accordance with federal regulations and apply to become the representative payee only if no other suitable candidate is available.
9. Directs DCS to annually review cases of children in their care to determine whether a child may have become eligible for benefits after their initial assessment.
10. Outlines requirements for when a child is denied any federal benefits or when a child is not under the responsibility of the Department's care.
11. Makes technical and conforming changes.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: HHS DP 8-1-0-0 | APPROPS DP 13-1-1-0

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**HB 2563: on-call health services; appropriations**  
**Sponsor: Representative Hernandez C, LD 21**  
**Caucus & COW**

**Overview**

Appropriates \$7,500,000 from the state General Fund (GF) in FYs 2024 through 2026 to the Arizona Health Care Cost Containment System (AHCCCS) to use for on-call obstetrics and gynecological services to ensure service availability in low-volume obstetric delivery areas and rural communities.

**History**

Established in 1981, AHCCCS is Arizona's Medicaid program that oversees contracted health plans for the delivery of health care to individuals and families who qualify for Medicaid and other medical assistance programs. Through contracted health plans across the state, AHCCCS delivers health care to qualifying individuals including low-income adults, their children or people with certain disabilities.

AHCCCS requires contractors to provide covered health and medical services to members, including: 1) inpatient hospital services; 2) outpatient health services; 3) laboratory and X-ray services; 4) prescription medications; 5) medical supplies, durable medical equipment, insulin pumps and prosthetic devices; 6) treatment of medical conditions of the eye; 7) early and periodic health screening and diagnostic services; 8) family planning services; 9) podiatry services; 10) nonexperimental transplants; 11) emergency dental care; 12) ambulance and non-ambulance transportation; 13) hospice care; 14) orthotics; 15) medically necessary chiropractic services; and 16) diabetes outpatient self-management training services ([A.R.S. § 36-2907](#)).

**Provisions**

1. Appropriates \$7,500,000 from the state GF in FYs 2024 through 2026 to AHCCCS for on-call obstetrics and gynecological services to ensure service availability in low-volume obstetric delivery areas and rural communities. (Sec. 1)
2. Requires AHCCCS to distribute up to \$2,500,000 annually to each qualifying community health center for the unreimbursed costs necessary to ensure the availability of on-call obstetrics and gynecological services in low-volume obstetric delivery areas and rural communities. (Sec. 1)
3. Instructs a qualifying health care center that receives monies to submit an annual report to AHCCCS regarding the use of the monies, including the number of deliveries and emergency procedures provided by the on-call health care providers. (Sec. 1)
4. Directs AHCCCS to convene stakeholders and staff to develop recommendations to ensure that obstetrics and gynecological services are provided to low-volume, high risk and rural communities in Arizona. (Sec. 1)
5. Exempts the appropriation from lapsing. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: HHS DP 9-0-0-0

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**HB2564: hospitals; physicians; dispensing opioids**  
**Sponsor: Representative Shah, LD 5**  
**Caucus & COW**

**Overview**

Allows a hospital or a physician working in a hospital, that is not within 50 miles of a 24-hour pharmacy to dispense a 12-hour supply of a schedule II-controlled substance that is an opioid to a patient that is discharged after regular pharmacy hours.

**History**

*Physician* is defined as a licensed Doctor of Medicine. A *Doctor of Medicine* means a natural person holding a license, registration or permit to practice medicine.

A Doctor of Medicine may dispense drugs and devices kept by the doctor if:

- 1) all drugs are dispensed in packages with labels containing certain information;
- 2) the dispensing doctor enters into the patient's medical record the name, strength and therapeutic reason for the drug dispensed and the date dispensed;
- 3) the dispensing doctor keeps all drugs in a locked cabinet or room, controls access to the cabinet or room by written procedure and maintains an ongoing inventory of its contents; and
- 4) the doctor registers with the board to dispense drugs and devices and pays the registration fee.

Currently, it is considered *unprofessional conduct* to dispense a schedule II-controlled substance that is an opioid. A Doctor of Medicine may not dispense a schedule II-controlled substance that is an opioid, except for an implantable device or an opioid that is for medication-assisted treatment for substance use disorders.

*Dispense* means the delivery by a Doctor of Medicine of a prescription drug or device to a patient, except for samples packaged for individual use by licensed manufacturers or repackages of drugs and includes the prescribing, administering, packaging, labeling and security necessary to prepare and safeguard the drug or device for delivery (A.R.S. §§ 32-1401 and 32-1491).

**Provisions**

1. States that a hospital or a physician working in a hospital that is not within 50 miles of a 24-hour pharmacy, when discharging a patient after regular pharmacy business hours, may dispense a 12-hour supply of a schedule II-controlled substance that is an opioid to the patient. (Sec. 3)
2. Makes technical changes. (Sec. 1-2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: HHS DP 5-4-0-0

## **HB 2624: AHCCCS; redeterminations**

**Sponsor: Representative Biasiucci, LD 30**  
**Caucus & COW**

### **Overview**

Requires, by December 31, 2023, the Arizona Health Care Cost Containment System (AHCCCS) to complete redeterminations for all members who have not been redetermined for eligibility since December 1, 2022 and outlines restrictions for AHCCCS.

### **History**

Established in 1981, AHCCCS is Arizona's Medicaid program that oversees contracted health plans for the delivery of health care to individuals and families who qualify for Medicaid and other medical assistance programs. Through contracted health plans across the state, AHCCCS delivers health care to qualifying individuals including low-income adults, their children or people with certain disabilities. Members must meet certain financial and non-financial requirements to be eligible for AHCCCS ([A.R.S. § 36-2901](#)).

Statute outlines the covered health and medical services offered to AHCCCS members, including: 1) inpatient hospital services; 2) outpatient health services; 3) laboratory and X-ray services; 4) prescription medications; 5) medical supplies, durable medical equipment, insulin pumps and prosthetic devices; 6) treatment of medical conditions of the eye; 7) early and periodic health screening and diagnostic services; 8) family planning services; 9) podiatry services; 10) nonexperimental transplants; 11) emergency dental care; 12) ambulance and nonambulance transportation; 13) hospice care; 14) orthotics; 15) medically necessary chiropractic services; and 16) diabetes outpatient self-management training services ([A.R.S. § 36-2907](#)).

### **Provisions**

1. Instructs, by December 31, 2023, AHCCCS to complete redeterminations for all members who have not been redetermined for eligibility since December 1, 2022 and remove all members who were not determined to be eligible persons for services. (Sec. 1)
2. Prohibits AHCCCS from establishing procedural requirements to complete redeterminations or removals beyond the minimum procedures required to establish a good faith effort or under federal law. (Sec. 1)
3. Prohibits AHCCCS to:
  - a. follow, conform or submit to any federal guidance that is contrary to the requirements;
  - b. follow any other timelines, deadlines or limits; and
  - c. divide or disburse the initiation or completion of redeterminations or removals, unless required to do so under federal law. (Sec. 1)
4. Contains a delayed repeal date of January 1, 2025. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: JUD DP 5-3-0-0-0

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**HB 2544: Arizona manufactured; modified firearms**  
**Sponsor: Representative Diaz, LD 19**  
**Caucus & COW**

## **Overview**

Exempts personal firearms, firearm accessories and ammunition that are modified in Arizona and remain in Arizona from federal laws and regulations enacted pursuant to Congress's authority to regulate interstate commerce.

## **History**

[A.R.S. § 13-3114](#), enacted by Laws 2010, Chapter 18, § 1, exempts certain Arizona manufactured firearms, firearm accessories and ammunition from federal laws and regulations enacted under color of Congress's authority to regulate interstate commerce. Along with this statute's passage, Laws 2010, Chapter 18, § 2, made several legislative findings regarding U.S. Const. amends. II, IX and X; Ariz. Const. art. II, § 26; and the power of the states to regulate intrastate commerce.

Specifically, beginning on October 1, 2010, [A.R.S. § 13-3114](#) exempts from federal law or regulation, including registration, any personal firearm, firearm accessory or ammunition that:

- 1) Is commercially or privately manufactured in Arizona from basic materials, and that can be manufactured without importing significant parts from out-of-state; and
- 2) Remains within the state of Arizona.

The statute further exempts from federal regulation any imported firearms accessory, generic or insignificant part or basic materials that are incorporated into, attached to or used in conjunction with a firearm, firearm accessory or ammunition manufactured in Arizona. Any firearm that is manufactured and sold in Arizona pursuant to this statute must have the words made in Arizona clearly stamped on a central metallic part such as the receiver or frame. This exemption does not apply to any firearm that:

- 1) Cannot be carried and used by one person;
- 2) Has a bore diameter of more than one and one-half inches and that uses smokeless powder as a propellant; and
- 3) Discharges two or more projectiles with one activation of the trigger or firing device.

The statute also defines *firearm accessory*, *general or insignificant part* and *manufactured* ([A.R.S. § 13-3114](#)).

## **Provisions**

1. Adds a personal firearm, a firearm accessory or ammunition that is modified in Arizona and remains in Arizona to existing statute exempting those same items that are manufactured in Arizona and remain in Arizona from federal laws or regulations enacted pursuant to Congress's authority to regulate interstate commerce. (Sec. 1)
2. Requires an applicable firearm to have the words "modified in Arizona" clearly stamped on a central metallic part such as a receiver or frame. (Sec. 1)
3. Defines *modified*. (Sec. 1)
4. Removes the October 1, 2010, effective date set in current statute. (Sec. 1)
5. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: JUD DP 5-3-0-0-0

**HB 2667: disruption; educational institution; concealed weapon.**

**Sponsor: Representative Jones, LD 17**

**Caucus & COW**

## **Overview**

Limits the authority of a university, college or community college a governing board to prohibit a person from lawfully possessing a concealed weapon under a valid permit or transporting or storing a firearm in the person's car or motorcycle on university, college or community college campus.

## **History**

Current law requires the governing board of every educational institution to adopt and enforce rules pursuant to Title 41, Chapter 6, for the purpose of maintaining order and public safety. Any weapon, dangerous instrument or explosive that is found to violate the educational institution's regulations established by the board is subject to forfeiture pursuant to [A.R.S. § 13-3105](#) and A.R.S. Title 13, Chapter 39.

*Educational institution* is defined as any university, college, community college, high school or common school in the state of Arizona. *Property of an educational institution* is defined to include any land, buildings or other facilities that are owned, operated or controlled by the Board of an educational institution and devoted to educational purposes ([A.R.S. § 13-2911](#)).

[A.R.S. § 13-3112](#) outlines the process and requirements for a person to obtain a permit to carry a concealed weapon, and [A.R.S. § 12-781](#) provides for the lawful transportation or storage of a firearm in or on a person's privately owned motor vehicle or motorcycle.

## **Provisions**

1. States that the Board of any university, college or community college may not prohibit:
  - a. The possession of a concealed weapon by an individual who possess a valid permit in accordance with [A.R.S. § 13-3112](#); or
  - b. The transportation or storage of a firearm pursuant to [A.R.S. § 12-781](#). (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: JUD DP 5-3-0-0-0

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**HB 2754: criminal liability; enterprises**  
**Sponsor: Representative Jones, LD 17**  
**Caucus & COW**

**Overview**

Includes nongovernmental organizations in the definition of an *enterprise* for purposes of criminal liability and subjects an enterprise to criminal liability for the offense of participating in a human smuggling organization.

**History**

An *enterprise*, currently defined in [A.R.S. § 13-105](#) as any corporation, association, labor union or other legal entity, is deemed to have committed a criminal offense if any of the following applies:

- 1) The conduct constituting the offense consists of a failure to discharge a specific duty imposed by law;
- 2) The conduct undertaken on behalf of the enterprise and constituting the offense is engaged in, authorized, solicited, commanded or recklessly tolerated by the directors of the enterprise in any manner or by a high managerial agent acting within the scope of employment; or
- 3) The conduct constituting the offense is engaged in by an agent of the enterprise while acting within the scope of employment and on behalf of the enterprise; and
  - a) The offense is a misdemeanor or petty offense; or
  - b) The offense is defined by a statute which imposes criminal liability on an enterprise.

*Agent* and *high managerial agent* are defined in statute ([A.R.S. § 13-305](#)).

A person commits *participating in a human smuggling organization or operation* by doing any of the following:

- 1) Intentionally or knowingly organizing, managing, directing, supervising, coordinating, facilitating, leading, assisting, participating in or financing a human smuggling organization or operation that furthers the criminal objectives of the human smuggling organization or operation;
- 2) Knowingly directing or instructing others to engage in violence or intimidation to promote or further the criminal objectives of a human smuggling organization or operation;
- 3) Furnishing advice or direction in the conduct, financing or management of a human smuggling organization's or operation's affairs with the intent to promote or further the criminal objectives of a human smuggling organization or operation;
- 4) Intentionally promoting or furthering the criminal objectives of a human smuggling organization or operation by inducing or committing any act or omission by a public servant in violation of the public servant's official duty; or
- 5) Knowingly assisting a human smuggling organization or operation by transporting a person, or procuring the transportation for a person, with the intent to do either of the following:
  - a) Conceal the person from a peace officer; or
  - b) Assist the person with fleeing from a peace officer who is attempting to lawfully arrest or detain the person.

Participating in a human smuggling organization or operation is a class 2 felony, and a person convicted of the offense is not eligible for suspension of sentence, probation, pardon or release from confinement, except in specific circumstances, until the imposed sentence has been served or commuted ([A.R.S. § 13-2323](#)).

*Human smuggling organization and person*, as well as the *culpable mental states*, which include *intentionally* and *knowingly*, are defined in [A.R.S. § 13-105](#).

**Provisions**

1. Expands the definition of *enterprise* to include nongovernmental organizations. (Sec. 1)
2. Removes the requirement for an agent of an enterprise to be acting within the scope of employment when acting on behalf of the enterprise for purposes of enterprise liability. (Sec. 2)
3. Subjects an enterprise, in addition to a person, to criminal liability for the offense of participating in a human smuggling organization or operation. (Sec. 3)
4. Makes technical changes. (Sec. 2)





# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: JUD DP 5-3-0-0-0

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**HB 2759: nonprofits; facilitation; trafficking offenses; penalties**  
**Sponsor: Representative Gillette, LD 30**  
**Caucus & COW**

## **Overview**

Subjects a person who facilitates the trafficking of a person, or who intentionally or knowingly benefits from facilitating a venture that traffics another person, to civil liability for damages under existing law. Prohibits the Arizona Corporation Commission (ACC) from incorporating a corporation if an officer, director or trustee has been convicted of specific smuggling or trafficking offenses.

## **History**

Current statute makes a person who engages in the trafficking of a person, or who intentionally or knowingly benefits from participating in a venture that traffics another person, civilly liable to the person that was trafficked for damages arising from the trafficking.

For these purposes, *traffics another person* or *trafficking of a person* means conduct that constitutes a criminal offense under [A.R.S. §§ 13-1306](#) (*unlawfully obtaining labor or services*), [13-1307](#) (*sex trafficking*), [13-1308](#) (*trafficking of persons for forced labor or services*), [13-3206](#) (*taking child for purpose of prostitution*) or [13-3212](#) (*child sex trafficking*). However, it is not a defense to civil liability under this statute that the defendant was acquitted, or has not been prosecuted for or convicted of, a criminal offense or has been convicted of a different offense, or of a different type or class of offense, for the conduct that is alleged to give rise to civil liability. *Person* carries the same definition as that in [A.R.S. § 13-105](#).

A plaintiff who prevails in a civil lawsuit under this statute is required to be awarded actual damages, including damages for mental anguish even if an injury other than mental anguish is not shown, court costs and reasonable attorney fees. Additionally, the plaintiff may recover exemplary damages. A person who is found responsible for the conduct in this statute for any amount of damages arising from the trafficking is jointly liable with another person found to be liable for the entire amount of damages arising from the trafficking.

The rights and remedies provided by this statute supplement another other rights and remedies provided by law, including common law rights ([A.R.S. § 12-722](#)).

## **Provisions**

1. Includes a person who facilitates the trafficking of a person or who knowingly and intentionally benefits from facilitating a venture that traffics another person to civil liability for damages to the person trafficked pursuant to [A.R.S. § 12-722](#), including joint liability with any other person liable for the damages. (Sec. 2)
2. Prohibits the ACC from incorporating a corporation if an officer, director or trustee of the corporation has been convicted of any of the following offenses:
  - a. Smuggling;
  - b. Participating in or assisting a human smuggling organization;
  - c. Unlawfully obtaining labor or services;
  - d. Sex trafficking;
  - e. Trafficking of persons for forced labor or services;
  - f. Child sex trafficking; or
  - g. Any federal immigration offenses. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: JUD DP 5-3-0-0-0

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**HB 2802: fentanyl sales; manufacture; sentencing; testing**  
**Sponsor: Representative Gress, LD 4**  
**Caucus & COW**

**Overview**

Imposes specific sentencing ranges for offenders who are convicted of specified narcotic drug offenses involving at least two milligrams of fentanyl. Requires law enforcement agencies to submit confiscated fentanyl to a crime laboratory for testing.

**History**

Current law outlines certain criminal offenses and sentencing classifications specific to different types of drugs. One of these categories is that for *narcotic drugs*, which is defined to encompass a detailed list of materials, compounds, mixtures or preparations containing various substances or derivatives. Examples of narcotic drugs include cocaine, fentanyl and heroin, among many others ([A.R.S. § 13-3401](#)).

It is a criminal offense for a person to knowingly do any of the following with regard to a narcotic drug:

- 1) Possess or use the drug, which is a generally a class 4 felony;
- 2) Possess the drug for sale, which is a class 2 felony;
- 3) Possess equipment or chemicals, or both, for the purpose of manufacturing the drug, which is a class 3 felony;
- 4) Manufacture the drug, which is a class 2 felony;
- 5) Administer the drug to another person, which is a class 2 felony;
- 6) Obtain or procure the administration of the drug by fraud, deceit, misrepresentation or subterfuge, which is a class 3 felony;
- 7) Transport for sale, import into Arizona, offer to transport for sale or import into Arizona, sell, transfer or offer to sell or transfer the drug, which is a class 2 felony.

Notwithstanding the general sentencing classifications mentioned above, more specific sentencing requirements may apply in certain circumstances, including discrete sentencing ranges or probation eligibility provisions for specific drugs, amounts of drugs or repeat offenses ([A.R.S. §§ 13-3408, 13-3419, 13-3420](#)).

**Provisions**

1. Mandates a minimum sentence of 5 calendar years, a presumptive sentence of 10 calendar years and a maximum sentence of 15 calendar years for individuals convicted of any of the following offenses involving at least two milligrams of fentanyl:
  - a. Possession for sale;
  - b. Possession of equipment or chemicals for the purpose of manufacture;
  - c. Manufacture; or
  - d. Transporting or importing for sale or offering to transport or import for sale. (Sec. 1)
2. Increases each of the above minimum, presumptive and maximum sentences by 5 years if the person has previously been convicted of one of the above offenses involving at least two grams of fentanyl. (Sec. 1)
3. Prohibits an individual who has been convicted of the above-noted fentanyl offenses from being eligible for suspension of sentence, probation, pardon or release from confinement until the court-imposed

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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sentence has been served, the person is eligible for community supervision or the sentence is commuted. (Sec. 1)

4. Instructs law enforcement agencies to submit a sufficient sample of all confiscated fentanyl to an accredited crime laboratory for testing to determine the appropriate criminal violation. (Sec. 1)
5. Makes conforming changes. (Sec. 1)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: LARA DP 9-0-0-0

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**HB2483: backyard fowl; regulation; prohibition**  
**Sponsor: Representative Payne, LD 27**  
**Caucus & COW**

**Overview**

Prohibits a municipality or county from adopting a zoning ordinance that bans those in a single-family detached residence which is one-half acre or less from keeping fowl in their backyard but allows municipalities and counties to establish certain requirements for keeping these animals.

**History**

Cities and towns (municipalities) have the general power to adopt and enforce zoning ordinances that regulate certain aspects of land use (A.R.S. §§ [9-240](#), [9-499.01](#) and [9-462.01](#)). Some Arizona cities have adopted ordinances to regulate how many backyard fowl may be kept at a residence and the conditions in which these animals may be kept:

- 1) In Phoenix, poultry may be kept in an enclosure within 80 feet of a residence if written permission is given by each lawful occupant and owner of a residence within 80 feet of the enclosure ([Phoenix Municipal Codes Article III § 8-7](#));
- 2) In Chandler, [an ordinance](#) adopted in December 2022 allows up to five hens per yard so long as the coop is set back at least five feet from all property lines;
- 3) In Scottsdale, fowl is allowed unless it is a frequent or habitual nuisance that disturbs a neighborhood or any two or more persons ([Scottsdale Code of Ordinances § 4-17](#));
- 4) In Flagstaff, small livestock such as chickens, ducks, rabbits, miniature goats and bees are allowed on residential or educational property. Unless the property is located in Estate and Rural Residential zoning, a permit is required to keep backyard livestock. On property less than 20,000 square feet, up to 5 chickens are allowed so long as they are fenced in to keep them on the owner's property and have at least 10 square feet of outdoor space and 4 square feet of indoor space ([Flagstaff City Code Chapter 6-03](#)); and
- 5) In Tucson, residents may keep up to 24 chickens so long as they have an enclosure that is not within 50 feet of the dwelling of another person. Coops must be kept in a clean and sanitary condition ([Tucson, Arizona Charter and General Ordinances § 4, Article IV](#)).

Counties have a similar power to adopt and enforce such ordinances (A.R.S. §§ [11-251.05](#) and [11-811](#)). For example, in 2017, the Pima County Board of Supervisors approved a zoning change to allow residents to keep up to 8 hens in certain properties that are usually 6,000 to 8,000 square feet in size. Single-family dwelling lots and manufactured home lots of 6,000 square feet or smaller or multi-family dwellings could keep up to four hens per dwelling (Pima County Ordinance 2017-36).

**Provisions**

1. Forbids a municipality or county from adopting a zoning ordinance that prohibits a resident of a single-family detached residence which is one-acre or smaller in size from keeping fowl in the property's backyard. (Sec. 1 and 2)
2. Authorizes a municipality or county to:
  - a. Restrict the number of fowl that a resident may keep in the property's backyard to no more than nine;

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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- b. Prohibit a resident from keeping male fowl;
  - c. Require fowl to be kept in an enclosure in the rear or side of the yard at least 15 feet from a neighboring property and with a maximum size of 200 square feet;
  - d. Require the enclosure to be maintained and manure picked up at least twice weekly;
  - e. Require that manure be kept in a way that prevents migration of insects;
  - f. Require that feed be stored in insect-proof and rodent-proof containers and
  - g. Prohibit fowl from running at large. (Sec. 1 and 2)
- 3. States that these provisions preempt local laws, ordinances and charter provisions. (Sec. 1 and 2)
  - 4. Defines *fowl*. (Sec. 1 and 2)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: LARA DPA 9-0-0-0

## **HB 2507: grain research council; continuation**

**Sponsor: Representative Diaz, LD 19**

**Caucus & COW**

### **Overview**

Continues the Arizona Grain Research and Promotion Council for 6 years.

### **History**

The Arizona Grain Research and Promotion Council was created in 1985 to promote and develop Arizona's grain industry ([Laws 1985, Chapter 63](#)). It consists of seven Arizona grain producers who are appointed by the governor to three-year terms ([A.R.S. § 3-582](#)). The council may:

- 1) Cooperate with public and private organizations to develop and expand markets and reduce the costs of marketing grain and grain products;
- 2) Participate in or make grants for studies, research projects and programs to reduce water consumption, develop new grain varieties, improve production and handling methods and research and design new or improved harvesting and handling equipment; and
- 3) Be involved in programs or projects to provide education, publicity or other assistance to develop the state's grain industry ([A.R.S. § 3-584](#)).

To finance its activities, the council may assess a fee of up to \$0.05 per hundredweight (CWT) of grain sold through commercial channels, such as for food, feed or seed. However, the council has never charged the full \$0.05 per CWT for this fee. Instead, this fee has generally remained at \$0.02 per CWT since 1986. The council recently increased this fee to \$0.03 per CWT (which equates to about \$0.59 per ton) for 2023. The first purchaser of the grain collects this fee from the producer and remits it to the council ([A.R.S. § 3-587](#)). The fees are deposited in the council's trust fund ([A.R.S. § 3-590](#)). A producer may request that the council refund the fee within 60 days of when it was paid ([A.R.S. § 3-592](#)).

The Arizona Grain Research and Promotion Council will terminate on July 1, 2023 ([A.R.S. § 41-3023.04](#)). At its [January 19, 2023 meeting](#), the Senate Natural Resources, Energy & Water and House Land, Agriculture & Rural Affairs Joint Committee of Reference recommended that the council be continued for 8 years.

### **Provisions**

1. Continues, retroactive to July 1, 2023, the Arizona Grain Research and Promotion Council until July 1, 2029. (Sec. 1, 2 and 4)
2. Repeals the Arizona Grain Research and Promotion Council on January 1, 2030. (Sec. 2)
3. Contains a purpose statement. (Sec. 3)

### **Amendments**

1. Continues, retroactive to July 1, 2023, the Arizona Grain Research and Promotion Council until July 1, 2031.
2. Repeals the Arizona Grain Research and Promotion Council on January 1, 2032.

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: LARA DP 8-0-0-1

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## **HB2598: agricultural workforce program; apprentices; appropriation.**

**Sponsor: Representative Peña, LD 23**

**Caucus & COW**

### **Overview**

Annually appropriates \$500,000 from the state General Fund (GF) to the University of Arizona Cooperative Extension Office to implement the Agricultural Workforce Development Program and exempts this appropriation from lapsing.

### **History**

The Program was established in 2021 to incentivize food-producing agricultural organizations to hire apprentices by partially reimbursing them for apprenticeship costs ([Laws 2021, Chapter 410](#)). The University of Arizona Cooperative Extension Office administers this Program and is responsible for:

- 1) Establishing qualifications for agricultural organizations who wish to participate in the Program, including providing preference to historically underserved farmers and ranchers;
- 2) Requiring that apprentices be paid an hourly wage;
- 3) Establishing apprentice-selection criteria;
- 4) Creating a selection time frame;
- 5) Establishing accounting requirements;
- 6) Establishing reimbursement processes; and
- 7) Seeking input from the community on the administration of the Program.

The Cooperative Extension Office is also required to submit an annual report on the Program's effectiveness ([A.R.S. § 3-127](#)). As of February 2023, there have been 37 apprentices placed throughout the state with 20 agricultural food producers. The average length of apprenticeship has been 6-8 months.

In FY 2022 and 2023, the University of Arizona Cooperative Extension Office was appropriated in \$500,000 in state General Fund monies for this Program ([Laws 2021, Chapter 408](#) and [Laws 2022, Chapter 313](#)).

### **Provisions**

1. Appropriates \$500,000 from the state General Fund in each fiscal year to the University of Arizona Cooperative Extension Office to implement the Program. (Sec. 1)
2. Exempts this appropriation from lapsing. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: LARA DP 5-4-0-0

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**HB2750: expiration date; eggs; definition**  
**Sponsor: Representative Peña, LD 23**  
**Caucus & COW**

**Overview**

Extends the expiration date for Grade AA shell eggs to no more than 45 days after the eggs were candled.

**History**

The Arizona Department of Agriculture Director determines the standards of quality for chicken eggs produced for commercial sale in Arizona by candling ([A.R.S. § 3-705](#)). This process involves shining a bright light through an egg to determine the cleanliness and soundness of the shell, the size and condition of the air cell, and the condition of the yolk, white and germ ([A.R.S. § 3-701](#)).

These eggs must meet standards, grades and weight classes for eggs prescribed by the U.S. Department of Agriculture's (USDA) Agricultural Marketing Service to receive a quality rating. Egg grading is a voluntary process that is paid for by producers who wish to advertise eggs of a certain quality and it is not required to sell eggs ([AMS 56](#)). The highest quality eggs receive an USDA Grade AA, while Grade A eggs have a similar exterior quality with a slightly lower interior quality, usually consisting of runnier egg whites or imperfectly shaped yolks. Egg quality deteriorates over time, which means Grade AA eggs can degrade to Grade A eggs.

All cases, half cases, cartons or containers with eggs must be marked with an expiration date determined by the state based on the grade of those eggs ([A.R.S. § 3-719](#)). Grade AA eggs in Arizona have an expiration date of no more than 24 days after they were candled while Grade A eggs have an expiration date of no more than 45 days after the date they were candled ([A.R.S. § 3-701](#)). The expiration date printed on Grade AA eggs is preceded by the words "sell by" or "buy thru." The expiration date printed on Grade A eggs is preceded by the words "best by" or "use by".

The Arizona Department of Agriculture is responsible for ensuring egg grades are accurate and consumers are sold eggs of the quality advertised. Egg inspectors are employed by the associate director of the Arizona Department of Agriculture and certified by the USDA to inspect, weigh and examine eggs that are offered for sale in order to verify their quality ([A.R.S. § 3-709](#)). People keeping eggs for sale beyond their printed expiration date or for a length of time that has caused them to deteriorate to a lower grade quality than that printed on their packaging (as assessed by a certified egg inspector) are guilty of a class 3 misdemeanor ([A.R.S. §§ 3-718 and 3-737](#)).

**Provisions**

1. Extends the expiration date for Grade AA shell eggs to no more than 45 days after the eggs were candled. (Sec. 1)
2. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: LARA DPA 9-0-0-0

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**HB2803: forestry and fire management; appropriation**  
**Sponsor: Representative Gress, LD 4**  
**Caucus & COW**

## **Overview**

Appropriates \$150,000,000 from the state General Fund to the Arizona Department of Forestry and Fire Management (DFFM) for public safety grants in FY 2024 and establishes a process for a city, town or fire district to apply for and use grant monies for emergency equipment and construction or renovation of fire stations.

## **History**

### ***Fire Districts***

Fire districts are special districts created by county boards of supervisors to provide fire protection services and assist the State Fire Marshall in enforcing fire protection standards within the district's boundaries. These districts can also procure the services of an organized fire protection company or fire department in a neighboring city or town and contract with a city or town for fire protection services until that city or town chooses to develop regular fire department services (A.R.S. §§ [48-261](#) and [48-805](#)).

Fire districts are funded through the fire district assistance tax (FDAT), which a county board of supervisors levies on all taxable property within a county. This secondary property tax is capped at \$0.10 per \$100 of assessed valuation. The statutory formula for distributing FDAT proceeds to districts is complex. Generally, the amount of FDAT proceeds each fire district receives is limited to 20% of that district's levy, with the caveat that this amount is further reduced by the dollar amount that district receives above \$400,000. This provision applies regardless of whether the fire district is located in more than one county ([A.R.S. § 48-807](#)).

### ***City and Town Fire Departments***

A city or town can form a fire department as part of its general powers ([Title 9, Chapter 4](#)). This department is typically funded through the city's or town's general fund as part of the overall operating budget. Cities and towns derive revenue for this fund through various taxes and fees.

### ***Grants for Emergency Equipment***

There are some federal grants that provide funding to fire departments, including:

- The Rural Fire Capacity Grant Program is a federal grant through the U.S. Department of Agriculture that provides financial assistance to train, organize and equip fire departments in rural areas and communities to combat wildfires. To be eligible for a program grant, fire departments or districts must serve a community of 10,000 or less with 80% volunteer firefighting personnel. The maximum award to any single organization is \$10,000 per year ([16 U.S.C. § 2106](#)).
- Staffing for Adequate Fire and Emergency Response Grants are three-year grants through the Federal Emergency Management Agency. These grants are intended to help fire departments increase the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards ([15 U.S.C. § 2229a](#)).

## **Provisions**

1. Appropriates \$150,000,000 from the state General Fund to DFFM for public safety grants in FY 2024 and exempts this appropriation from lapsing. (Sec. 1)
2. Authorizes the city, town or fire district apply for a public safety grant. (Sec. 1)
3. Requires a public safety grant application to include the following information:
  - a. the name and contact information of the contact person for the application;
  - b. a description of how the grant monies will be used and, constructing or renovating fire stations, a demonstration that ongoing operating costs produced by a project can be paid for at least 25 years;
  - c. the average medical emergency response time for the city's or town's fire department or fire district; and
  - d. other information required by DFFM to award the grant monies. (Sec. 1)
4. Allows a city, town or fire district to use public safety grant monies to:
  - a. purchase equipment necessary to respond to public safety emergencies, including fire engines, ambulances, radio telecommunications and uniforms and equipment; or
  - b. construct or renovate fire stations. (Sec. 1)
5. Requires DFFM to:
  - a. develop an emergency medical service and law enforcement response time goal for urban and rural areas based on data from across the state and industry best practices;
  - b. annually award 75 percent of grant monies to towns, cities or fire districts serving urban areas and 25 percent to those serving rural areas based on their needs and average emergency medical service and law enforcement response times; and
  - c. adopt rules to implement this program. (Sec. 1)
6. Allows DFFM to retain up 5 percent of appropriated monies to administer this program. (Sec. 1)
7. Instructs DFFM to prepare an expenditure plan for fund monies and submit it to the Joint Legislative Budget Committee (JLBC) for review. (Sec. 1)
8. Stipulates that DFFM can only award grant monies after JLBC has reviewed its expenditure plan. (Sec. 1)
9. Directs DFFM to submit quarterly reports to JLBC on the amount of grant monies awarded and expenditures of grant monies. (Sec. 1)

#### **Amendment**

##### *Committee on Land, Agriculture & Rural Affairs*

1. Allows a city, town or fire district to use public safety grant monies to purchase and provide emergency alert services available through a mobile application or other means.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: LARA DP 9-0-0-0 | APPROP DPA 13-2-0-0

## **HB2806: state parks heritage fund; appropriation** **Sponsor: Representative Carbone, LD 25** **Caucus & COW**

### **Overview**

Appropriates \$10,000,000 from the state General Fund (GF) in FY 2024 to the Arizona State Parks Heritage Fund.

### **History**

The Arizona State Parks Heritage Fund was originally created when voters passed [Proposition 200](#) in 1990. The fund annually received \$10 million from the State Lottery Fund at the same priority and under the same conditions as the Arizona Game and Fish Commission Heritage Fund. The Legislature eliminated the fund and redirected its monies and allocated lottery proceeds to the state General Fund in 2010 ([Laws 2010, 7th S.S., Ch. 12, §§ 15 and 45](#)).

The fund was restored in 2019 and consists of legislative appropriations, grants and donations. However, it does not have any dedicated revenue sources ([Laws 2019, Chapter 304](#)). Instead, the fund has received appropriations from the state General Fund. It received \$5,000,000 in FY 2022 and \$2,500,000 in FY 2023 ([Laws 2021, Chapter 408](#) and [Laws 2022, Chapter 313](#)).

The Arizona State Parks Board and Historical Advisory Commission decide how fund monies will be used as grants for outdoor recreation and open space development, restoration and renovation, historic preservation projects, nonmotorized trails and outdoor and environmental education. However, fund monies cannot be used to acquire property ([A.R.S. § 41-503](#)). The Arizona State Parks Board submits an annual report on the fund's projects and expenditures and the Arizona Auditor General conducts a performance audit of these programs and expenditures as part of the Arizona State Parks Board's performance audit and sunset review (A.R.S. §§ [41-503](#) and [41-504](#)). The [most recent performance audit](#) found that the fund's FY 2022 grant awards were consistent with statutory requirements.

### **Provisions**

1. Appropriates \$10,000,000 from the state GF in FY 2024 to the Arizona State Parks Heritage Fund.

### **Amendments**

#### *Committee on Appropriations*

1. Prohibits appropriated monies from being used to acquire property.

☐ Prop 105 (45 votes)    ☐ Prop 108 (40 votes)    ☐ Emergency (40 votes)    ☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 15-0-0-0 | APPROP DPA 15-0-0-0

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**HB2196: appropriation; department of public safety**  
**Sponsor: Representative Nguyen, LD 1**  
**Caucus & COW**

**Overview**

Appropriates \$75 million from the State General Fund (GF) to the Department of Public Safety (DPS) for FY 2024.

**History**

DPS is a statewide law enforcement agency that is responsible for creating and coordinating services for public safety and aiding local and county law enforcement agencies ([A.R.S. § 41-1711](#)).

**Provisions**

1. Appropriates \$75,000,000 from the GF to DPS to use for building or repair of infrastructure in Arizona. (Sec. 1)
2. Exempts the appropriation from lapsing. (Sec. 1)

**Amendment**

*Committee on Appropriations*

1. Decreases the appropriation from \$75,000,000 to \$50,500,000.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 8-7-0-0 | APPROP DP 10-5-0-0

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**HB 2420: law enforcement; families; tuition scholarships**  
**Sponsor: Representative Gress, LD 4**  
**Caucus & COW**

**Overview**

Establishes the Spouses and Dependents of Law Enforcement Officers Tuition Scholarship Fund (Fund) and appropriates \$10,000,000 from the State General Fund (GF) to the Fund.

**History**

Pursuant to [A.R.S. § 15-1808](#), the Arizona Board of Regents (ABOR) and community college districts are required to grant tuition waivers to the children and spouses of peace officers, correctional officers, firefighters, emergency paramedics, national guardsmen and qualifying United States armed forces personnel who were killed in the line of duty or who died from injuries suffered in the line of duty while traveling to or from duty.

**Provisions**

1. Establishes the Fund, to be administered by ABOR. (Sec. 1)
2. Appropriates \$10,000,000 from the GF to the Fund in FY 2024. (Sec. 2)
3. States that Fund monies are subject to legislative appropriation and exempt from lapsing. (Sec. 1)
4. Instructs ABOR to distribute Fund monies as scholarships to the spouses or dependents of Arizona law enforcement officers who enroll in a:
  - a. university under the jurisdiction of ABOR (public university);
  - b. community college;
  - c. career technical education district program (CTED); or
  - d. private postsecondary institution in Arizona (private university). (Sec. 1)
5. Specifies, for a student enrolled in a public university, community college or CTED, the scholarship amount as equal to tuition and mandatory fees less any other gifts or aid received. (Sec. 1)
6. Stipulates, for a student enrolled in a private university, that the scholarship amount may not exceed the remainder of the average in-state tuition and fees charged by state universities minus other gifts and aid awarded to that person. (Sec. 1)
7. Directs ABOR to verify that scholarship applicants meet the specified qualifications. (Sec. 1)
8. Outlines that the scholarship:
  - a. is available for no more than four academic years or eight semesters per person;
  - b. may only be used for a baccalaureate degree, associate degree, CTED certificate, CTED license or private vocational program; and
  - c. may only be used to pay tuition and mandatory fees at a public university, community college, CTED or private university. (Sec. 1)
9. Asserts that scholarships are awarded on a first-come first-serve basis. (Sec. 1)
10. Defines *law enforcement officer*. (Sec. 1)
11. Contains an intent clause. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input checked="" type="checkbox"/> <a href="#">Fiscal Note</a>
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DPA 8-2-5-0-0 | APPROP DPA 14-1-0-0

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**HB2482: appropriations; crime victim notification fund.**  
**Sponsor: Representative Payne, LD 27**  
**Caucus & COW**

**Overview**

Appropriates \$3,750,000 from the State General Fund (GF) to the Law Enforcement Crime Victim Notification Fund (Fund) and \$250,000 to the State Treasurer to administer the Fund.

**History**

The Fund is administered by the State Treasurer and used by law enforcement agencies in the State to fund the purchase of automated notification software that meets certain requirements to send updates to crime victims on the status of their investigation, report or case via email or text ([A.R.S. § 41-180](#)).

**Provisions**

1. Appropriates \$3,750,000 from the GF to the Fund in FY 2024. (Sec. 1)
2. Appropriates \$250,000 from the GF to the State Treasurer in FY 2024 to evaluate, certify and pay for any costs associated with the Fund. (Sec. 1)
3. Exempts both appropriations from lapsing. (Sec. 1)

**Amendments**

*Committee on Military Affairs and Public Safety*

1. Extends uses of Fund monies to include:
  - a) Multiagency agency notification software that enables agencies to automatically share status updates with partner agencies; and
  - b) Conversational artificial intelligence software to allow for bidirectional communication with citizens.
2. Alters the Fund so that monies are disbursed as grants instead of reimbursements.
3. Permits a city or county to apply to the Fund for up to three years.
4. Increases the appropriation to the Fund from \$3,750,000 to \$7,600,000.
5. Increases the appropriation to the State Treasurer from \$250,000 to \$400,000.
6. Extends the appropriations from FY 2024 to FYs 2024 and 2025.

*Committee on Appropriations*

1. Adds that tribal and university law enforcement agencies are eligible to receive fund monies.
2. Extends uses of Fund monies to include:
  - a) Multiagency agency notification software that enables agencies to automatically share status updates with partner agencies;
  - b) Conversational artificial intelligence software to allow for bidirectional communication with citizens; and
  - c) A sexual assault forensic examination kit tracking system for victims.
3. Alters the Fund so that monies are disbursed as grants instead of reimbursements.
4. Permits a city or county to apply to the Fund for up to three years.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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5. Increases the appropriation to the Fund from \$3,750,000 to \$7,600,000.
6. Increases the appropriation to the State Treasurer from \$250,000 to \$400,000.
7. Extends the appropriations from FY 2024 to FYs 2024 and 2025.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 15-0-0-0

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**HB2484: failure to return vehicle; repeal.**  
**Sponsor: Representative Payne, LD 27**  
**Caucus & COW**

## **Overview**

Removes current statute pertaining to unlawful failure to return a motor vehicle subject to a security interest.

## **History**

An individual commits unlawful failure to return a motor vehicle subject to a security interest if all the following apply:

- 1) An owner is 90 days late in making payments to a hold on his property;
- 2) A secured creditor notifies the owner in writing that the owner is in default;
- 3) The owner fails to remedy the default within 30 days; and
- 4) The owner knowingly fails to return the motor vehicle to the secured creditor or allow the secured creditor to take possession of the motor vehicle with an intent to hinder the enforcement of the secured creditor's security interest ([A.R.S. § 13-1813](#)).

The contract creating the security interest in the motor vehicle must contain a statement specifying that:

- 1) Failure to return a motor vehicle subject to a security interest within 30 days after receiving a notice of default is illegal;
- 2) The notice of default will be mailed to the address on the loan agreement; and
- 3) The maximum penalty for illegal failure to return a motor vehicle subject to a security interest ([A.R.S. § 13-1813](#)).

The owner may not be liable for failing to return a motor vehicle subject to a security interest in certain circumstances. If a law enforcement agency seizes the vehicle, the secured creditor is responsible for all related fees. A vehicle that is not returned is a stolen vehicle. Unlawful failure to return a motor vehicle subject to a property interest is a class 6 felony ([A.R.S. § 13-1813](#)).

An individual commits theft of means of transportation if, without lawful authority, the individual knowingly controls or uses another individual's means of transportation with the intent to deprive the individual of the means of transportation permanently. Theft of means of transportation is a class 3 felony ([A.R.S. § 13-1814](#)).

## **Provisions**

1. Repeals statute that pertains to unlawful failure to return a motor vehicle subject to a security interest. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DPA/SE 13-1-1-0

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**HB 2485: aggravated assault; ambush; police; classification  
S/E: ambush; police; sentencing enhancement  
Sponsor: Representative Payne, LD 27  
Caucus & COW**

**Summary of the Strike-Everything Amendment to HB 2485**

**Overview**

Increases the penalties for aggravated assault on a peace officer if the defendant is found to have lain in wait for or ambushed the peace officer while committing the assault.

**History**

A person commits assault if the person:

- 1) Intentionally, knowingly or recklessly causes physical injury to another person, which is a class 1 misdemeanor if committed intentionally or knowingly and a class 2 misdemeanor if committed recklessly;
- 2) Intentionally places another person in reasonable apprehension of imminent physical injury, which is a class 2 misdemeanor; or
- 3) Knowingly touches another person with the intent to injure, insult or provoke the person, which is a class 3 misdemeanor ([A.R.S. § 13-1203](#)).

A person commits aggravated assault by committing assault under one of many distinguishing circumstances. For example, a person can commit aggravated assault by committing assault against a certain type of professional, such as a peace officer, firefighter or health care worker. Aggravated assault can range from a class 2 felony to a class 5 felony depending on the circumstances ([A.R.S. § 13-1204](#)).

When a person is convicted of a non-capital felony offense, including aggravated assault, statute delineates several aggravating and mitigating factors which, if found to be true, the court must consider in either increasing or decreasing the applicable presumptive sentence. One such aggravating factor is lying in wait for or ambushing the victim during the commission of the underlying felony ([A.R.S. § 13-701](#)).

**Provisions**

1. Requires that a person who is convicted of aggravated assault on a peace officer and found to have lain in wait for or ambushed the peace officer in committing the assault be sentenced to two years more than the applicable presumptive sentence without eligibility for suspension of sentence, commutation or early release on any basis until the sentence is served. (Sec. 1)
2. Makes conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DPA 15-0-0-0 | APPROP DP 13-2-0-0

## **HB2540: fire incident management fund; appropriation**

**Sponsor: Representative Grantham, LD 14**

**Caucus & COW**

### **Overview**

Creates the Fire Incident Management Fund (Fund) to provide for a statewide secure incident management platform. Appropriates \$12,000,000 from the State General Fund (GF) to the Fund for FY 2024.

### **History**

The [Arizona Department of Forestry and Fire Management](#) uses the National Fire Incident Reporting System (NFRIS). The NFRIS is the standard national reporting system used in the United States by fire departments to report fires and other incidents. The NFRIS provides data to help plan for future fire department needs, identify resource needs, prioritize training and qualify for national grants.

### **Provisions**

1. Establishes the Fund consisting of legislative appropriations. (Sec. 1)
2. Directs the State Treasurer to administer the Fund subject to legislative appropriation. (Sec. 1)
3. Specifies that monies in the Fund must be used for the deployment of a statewide secure incident management platform for fire and law enforcement agencies. (Sec. 1)
4. Requires the Fund to provide a standardized incident command and management platform based on Federal Emergency Management Agency Standards. (Sec. 1)
5. Requires the Fund provide a collaboration and communications solution that:
  - a. Identifies the location, status and assignment of assigned resources;
  - b. Allows status updates, tracking and management of an incident;
  - c. Allows secure messaging and file sharing to all users involved in an incident;
  - d. Allows the sharing of collaborative maps, building floor plans and images between public safety agencies;
  - e. Allows collaboration and information sharing between agencies during a mass casualty event;
  - f. Defines a Federal Emergency Management Agency or National Incident Management System based organizational structure for the management of incidents;
  - g. Provides the ability to print forms for tracking and cost reimbursement;
  - h. Provides telemetry based firefighter safety monitoring;
  - i. Works in areas without internet access in a disconnected mode; and
  - j. Provides a connected platform for notification, response and rostering. (Sec. 1)
6. Appropriates \$12,000,000 from the GF to the Fund in FY 2024 and exempts this appropriation from lapsing. (Sec. 2)

### **Amendments**

*Committee on Military Affairs and Public Safety*

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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1. Adds the following two additional requirements for the collaboration and communications solution:
  - a) Provides cross platform functionality; and
  - b) Provides a smartphone based app for notification, accountability and situational awareness.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 15-0-0-0 | APPROP DP 15-0-0-0

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**HB2554: search and rescue equipment fund**  
**Sponsor: Representative Bliss, LD 1**  
**Caucus & COW**

**Overview**

Establishes the County Sheriffs Search and Rescue Equipment Fund (Fund). Appropriates \$1,000,000 from the State General Fund (GF) to the Fund for FY 2024.

**History**

For all 15 counties in Arizona, the sheriffs are statutorily responsible for conducting and coordinating search and rescue operations. Sheriffs may also assist sheriffs in other counties or request assistance from them ([A.R.S. § 11-441](#); [DEMA, search and rescue](#)).

**Provisions**

1. Establishes the Fund, consisting of legislative appropriations, and subjects the monies in the fund to legislative appropriation. (Sec. 1)
2. Directs the State Treasurer to administer the Fund. (Sec. 1)
3. Requires the State Treasurer to distribute monies from the Fund to county sheriff's offices for search and rescue related equipment beginning FY 2024 and each fiscal year thereafter. (Sec. 1)
4. Outlines percentage distributions of Fund monies for the counties. (Sec. 1)
5. Specifies that remaining unexpended monies at the end of the fiscal year are considered part of total fund balance for the following fiscal year. (Sec. 1)
6. Appropriates \$1,000,000 from the GF in fiscal year 2024 to the Fund. (Sec. 2)
7. Exempts the appropriation from lapsing. (Sec. 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 13-0-0-2

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**HB 2589: emergency medical technicians; military reciprocity**  
**Sponsor: Representative Payne, LD 27**  
**Caucus & COW**

## **Overview**

Grants reciprocity, and certification to be an emergency medical care technician (EMCT), to a person who received comparable EMCT training while in the military.

## **History**

An *EMCT* means an individual who has been certified by the Department of Health Services (DHS) as an Emergency Medical Technician (EMT), an advanced emergency EMT, an EMT I-99 or a paramedic ([A.R.S. § 36-2201](#)).

EMCTs in Arizona may receive certification either by completing statewide standardized training and certification under the aegis of DHS, or by holding valid certification with a national certification organization ([A.R.S. § 36-2202](#)).

## **Provisions**

1. Adds that those who have completed training and testing by the US Armed Forces, at a level comparable to the national standards for EMCTs, are to be certified as qualified EMCTs. (Sec. 1, 2)
2. Exempts DHS from rulemaking requirements for the purposes of this act. (Sec. 3)
3. Contains an effective date clause to conform with an existing statutory enactment date. (Sec. 4)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

HOUSE: MAPS DP 15-0-0-0

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**[HB 2599](#): interstate compact; military children; revisions**  
**Sponsor: Representative Peña, LD 23**  
**Caucus & COW**

**Overview**

Corrects a citation to federal statute in the Interstate Compact on Educational Opportunity for Military Children (Compact).

**History**

The Compact, currently participated in by all 50 states and the District of Columbia, is intended to remove barriers to educational success imposed on children of military families, because of the frequent moving and deployment of parents, and ensure that military children are afforded the same opportunities for educational success as other children and are not penalized or delayed in achieving their educational goals by inflexible administrative practices. States participating in the Compact work to coordinate graduation requirements, transfer of records, course placement and other administrative policies ([A.R.S. § 15-1911](#); [DoDEA, The Military Interstate Compact](#)).

**Provisions**

1. Changes a citation to federal statute regarding the Compact. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 14-0-0-1

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## **HB2615: prisoners; transition program**

**Sponsor: Representative Bliss, LD 1**

**Caucus & COW**

### **Overview**

Provides an additional onetime extension of 90 days for an eligible inmate to continue receiving transition services if certain requirements are met.

### **History**

The Arizona Department of Corrections (DOC) provides and administers the transition program for eligible inmates. DOC contracts with private or nonprofit entities to provide services to eligible inmates. The director of DOC must adopt rules for inmate's eligibility criteria and adopt service requirements for the contracted entity ([A.R.S. § 31-281](#)).

### **Provisions**

1. Allows DOC to grant a onetime 90-day extension to an eligible inmate to continue receiving transition services. (Sec. 1)
2. Specifies that an inmate is eligible for the 90-day extension if:
  - a) The inmate has completed at least 45 days of transition services in the community;
  - b) DOC determines that the inmate will need additional treatment or intervention to adequately address his specific criminogenic needs;
  - c) The contracted entity uses an empirically validated, peer-reviewed instrument to evaluate the inmate's risk of recidivism and identifies the inmate's primary criminogenic factors; and
  - d) The contracted entity submits an updated individualized service plan to DOC. (Sec. 1)
3. Makes a conforming change. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 13-0-2-0

## **HB 2617: carrying of firearms; constables**

**Sponsor: Representative Bliss, LD 1**

**Caucus & COW**

### **Overview**

Includes an on-duty or off-duty constable, who meets certain requirements, within the definition of a *peace officer* who may not be prohibited from carrying a firearm except in limited circumstances.

### **History**

Current statute provides that a peace officer may not be prohibited from carrying a firearm except in specifically delineated circumstances. Peace officers who are employed as law enforcement officers in Arizona must be in compliance with Arizona Peace Officer Standards and Training Board (AZPOST) firearm requirements to qualify for this exemption from firearm prohibitions.

This same statute defines *peace officer* to have the same meaning prescribed in [A.R.S. § 1-215](#), which includes constables, among several other types law enforcement officers. However, in addition to incorporating [A.R.S. § 1-215](#)'s definition of *peace officer*, [A.R.S. § 38-1113](#) goes on to specify that, for purposes of that section, *peace officer* also includes:

- 1) Municipal, county and state prosecutors who annually pass a pistol qualifying examination approved by AZPOST;
- 2) A person employed as a law enforcement officer by a different state or an Indian tribe who is certified by an AZPOST-equivalent entity in that jurisdiction; or
- 3) A federally certified law enforcement officer.

A constable is an officer of the county justice courts within the precinct in which he serves. A constable has similar authority and responsibility to that of a county sheriff with regard to his respective superior court. However, statute specifies that a constable has the authority of a peace officer only in the performance of his official duties ([A.R.S. § 22-131](#)).

In July of 2016, the Arizona Attorney General (AG) issued an extensive opinion on the rights of constables in regards to firearms, including whether constables benefit from the protections against firearm prohibitions applicable to peace officers. After lengthy analysis, the AG concluded: *Because the official duties of a constable are limited to on-duty work, off-duty constables, even if certified by AZPOST, only have the right to carry a firearm where doing so is otherwise prohibited by law in situations when an obvious and immediate threat presents itself. An AZPOST certified, on-duty constable, however, has the right to carry a firearm in times and at places otherwise prohibited by law* ([Attorney General Op. 116-008](#)).

### **Provisions**

1. Clarifies that the definition of *peace officer* for purposes of [A.R.S. § 38-1113](#) includes a constable or deputy constable, while on-duty or off-duty, who either:
  - a. Is an AZPOST certified peace officer; or
  - b. Completed AZPOST-approved firearms training, maintains annual firearms proficiency, undergoes a psychological examination (unless waived by the Arizona Counties Insurance Pool) and either:
    - i. Possesses a valid Arizona concealed weapons permit; or
    - ii. Completes a POST-approved background investigation. (Sec. 1)
2. Requires AZPOST to forward copies of all certificates of completion, permits and proficiency records to the Constable Ethics Standards and Training Board within 30 days after completion. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 7-6-1-1

## **HB 2631: marijuana regulatory board; licensing qualifications**

**Sponsor: Representative Payne, LD 27**

**Caucus & COW**

### **Overview**

Establishes the Marijuana Regulatory Board (Board) and transfers, from the Department of Health Services (DHS) to the Board, the administration of state marijuana laws.

### **History**

The sale and use of marijuana is primarily governed by two major propositions enacted by the people of Arizona. Proposition 203~2010, the Arizona Medical Marijuana Act, and Proposition 207~2022, the Safe and Smart Act.

Proposition 203 established a legal marijuana regime for use by qualified patients for medicinal purposes. DHS is required to adopt and enforce a regulatory system for the distribution of marijuana for medical use, including a system for approving, renewing and revoking the registration of qualifying patients, designated caregivers, nonprofit dispensaries and dispensary agents ([A.R.S. Title 36, Chapter 28.1](#); [AZSOS publicity pamphlet, prop. 203](#)).

Proposition 207 legalized marijuana for adult personal use. Adults over 21 are permitted to possess, purchase, transport or process 1 ounce or less of marijuana or 5 grams or less of marijuana concentrate. DHS is responsible for licensing and regulating marijuana, marijuana retail sales, marijuana growth and testing facilities in Arizona ([A.R.S. Title 36, Chapter 28.2](#); [ADOR, Adult Use Marijuana](#)).

### **Provisions**

#### ***Marijuana Regulatory Board***

1. Establishes the Board, with members appointed by the Governor with the consent of the Senate. (Sec. 3)
2. Transfers, from DHS to the Board, the authority and responsibilities for administering Arizona's medical and adult-use marijuana laws. (Sec. 3, 6)
3. Asserts succession and continuity between DHS and the Board and provides for the transfer of all acts, rules, proceedings, licenses, records, personnel and related matters from DHS to the Board. (Sec. 6)
4. Repeals the Board on July 1, 2033. (Sec. 4)
5. Repeals state laws relating to marijuana on January 1, 2034. (Sec. 4)

#### ***Board Members and Director***

6. Outlines membership requirements for the seven-member Board. (Sec. 3)
7. Specifies initial terms for Board members. (Sec. 5)
8. Requires Board members to:
  - a. Comply with confidentiality requirements;
  - b. Disclose any potential conflicts of interest;
  - c. Not vote on a measure in which the member has a pecuniary interest; and
  - d. Not miss more than one meeting every six months. (Sec. 3)
9. Stipulates that the Governor may only remove Board members for cause. (Sec. 3)

<input checked="" type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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10. Entitles Board members to: a) \$200 per day spent in the discharge of duties; and b) all expenses necessarily incurred in attending meetings. (Sec. 3)
11. Instructs the Board to appoint a director to employ personnel, adopt rules and carry out the authorities and responsibilities of administering state marijuana laws. (Sec. 3)
12. Stipulates that the director is to receive a salary according to statutory guidelines. (Sec. 3)

***Miscellaneous***

13. Requires applicants for a *nonprofit medical marijuana dispensary registration certificate* or a *marijuana establishment license* to be residents of Arizona and to demonstrate residency by presenting specified documents. (Sec. 1, 2)
14. Directs Legislative Council to prepare conforming legislation for this act. (Sec. 8)
15. Contains a delayed effective date of January 1, 2025 for provisions relating to the Board. (Sec. 9)
16. Contains a Proposition 105 clause. (Sec. 10)
17. Defines pertinent terms. (Sec. 3)
18. Contains a purpose clause. (Sec. 7)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DPA 14-0-1-0 | APPROP DPA 12-1-2-0

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**HB2632: appropriation; simulators; law enforcement; probation**  
**Sponsor: Representative Payne, LD 27**  
**Caucus & COW**

## **Overview**

Appropriates \$1,000,000 from the Peace Officer Training Equipment Fund (Fund) to the State Treasurer to purchase training simulators in FY 2024.

## **History**

A V-300 is a decision-making and firearms training simulator. The V-300 simulator portrays true-to-life situations taken from actual events based on case law and after-action reports ([VirTra Website](#)).

The Fund receives monies from a \$4 assessment on civil traffic violations, local motor vehicle citations and criminal motor vehicle citations (A.R.S. §§ [12-114](#); [12-116.08](#)). In FY 2019, \$3,073,000 was legislatively appropriated from the Fund for various purposes. Of those monies, \$2,300,000 was used for 10 virtual firing ranges and 3 virtual training simulators ([JLBC FY 2022 Appropriations Report, DPS](#)).

## **Provisions**

1. Appropriates \$1,000,000 in FY 2024 from the Fund to the State Treasurer to distribute to the following law enforcement agencies to purchase training simulators:
  - a. \$300,000 to the Flagstaff police department for a V-300 LE;
  - b. \$300,000 to the Mohave County probation department for a V-300 LE;
  - c. \$300,000 to the Gila County sheriff's office for a V-300 LE; and
  - d. \$100,000 to the Casa Grande police department for a V-100 LE. (Sec. 1)
2. Contains a legislative intent clause. (Sec. 2)

## **Amendments**

### *Committee on Military Affairs and Public Safety*

1. Increases the appropriation amount from \$1,000,000 to \$1,630,000.
2. Adds two additional county sheriff's offices to receive funding to purchase virtual simulators.

### *Committee on Appropriations*

1. Increases the appropriation amount from \$1,000,000 to \$1,668,000.
2. Increases appropriation for Casa Grande police department from \$100,000 to \$138,000.
3. Adds two additional county sheriff's offices to receive funding to purchase virtual simulators.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DPA 15-0-0-0

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**HB 2649: appropriation; correction officers; retention bonus**  
**Sponsor: Representative Martinez, LD 16**  
**Caucus & COW**

## **Overview**

Revises the distribution schedule for the \$10,000 onetime payment allocated to line-level deputies and detention officers in FY 2023.

## **History**

In 2022, the Fifty-fifth Legislature, Second Regular Session, passed [Laws 2022, Chapter 313 \(general appropriations act: 2022-2023\)](#) (Appropriations Act). The Appropriations Act, among other things, appropriates \$48,310,000 to the counties for the purposes of a \$10,000 onetime payment to line-level deputies and detention officers employed by each county sheriff's office as of May 1, 2022. The payments are to be distributed in equal quarterly installments over two years.

## **Provisions**

1. Modifies the disbursement schedule, of the \$10,000 Appropriations Act payment to line-level deputies and detention officers, by distributing the monies in the second year in a single lump sum during the first month of the year. (Sec. 1)

## **Amendments**

*Committee on Military Affairs and Public Safety*

1. Directs unexpended funds, from the \$5,095,000 appropriated in FY 2023 for sheriffs' hiring bonuses, to be distributed to counties on a pro rata basis, based on the number of vacancies for line-level deputies and detention officers.
2. Permits counties to use the funds for line-level deputy and detention officer hiring bonuses until the funds are exhausted.
3. Adds a retroactivity clause of July 1, 2022.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 9-3-3-0

## **HB 2651: missing children; alert; notification; reporting**

**Sponsor: Representative Parker B, LD 10**

**Caucus & COW**

### **Overview**

Augments the efforts that the Department of Child Safety (DCS) is required to take to locate missing, abducted or runaway children and provides for legislative oversight regarding these efforts.

### **History**

Current law requires certain persons who reasonably believe that a minor is or has been a victim of non-accidental physical injury, abuse, neglect, certain reportable offenses or deprivation of appropriate care with intent to cause death of a protected infant to report this information to an appropriate authority, which may include DCS or a peace officer who must then notify DCS of the report ([A.R.S. § 13-3620](#)).

If DCS receives such a report or receives information while it is providing child safety services indicating that a child is at risk of serious harm and the child's location is unknown, statute requires DCS to provide the appropriate law enforcement agency with necessary information to be recorded in the Arizona Crime Information Center and the National Crime Information Center missing person databases. This includes information about the child and the child's parent, guardian, custodian or person of interest. The law enforcement agency, in turn, is required to immediately enter this information into the databases ([A.R.S. § 8-810](#)).

### **Provisions**

1. Requires DCS to notify agencies as follows within 24 hours of receiving a report or information indicating that a child who is a ward of the court or in DCS care is missing, abducted or a runaway and the child's location is unknown:
  - a. For an abducted child, the Arizona Criminal Justice Information System; and
  - b. For an abducted, missing or runaway child:
    - i. The National Crime Information Center missing person database;
    - ii. The National Center for Missing and Exploited Children;
    - iii. The Attorney General to initiate a pickup or return order, if applicable. (Sec. 1)
2. Mandates that DCS take various other actions within 24 hours of receiving a report of a missing, abducted or runaway child, including:
  - a. Contacting various persons to obtain information about the child's disappearance, including any person known to DCS who may have relevant information; and
  - b. Providing notice of disappearance, both written and telephonic, to specifically delineated persons. (Sec. 1)
3. Requires DCS to notify the appropriate agency to issue an amber alert for abducted children. (Sec. 1)
4. Instructs DCS to provide specific information about the child and, if known, the child's abductor, to all local media outlets within 48 hours of receiving a report of a missing, abducted or runaway child. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

5. Directs DCS to take various actions on an ongoing basis until the child is located or reaches the age of majority, including continuously contacting law enforcement, updating social media platforms, creating age-progression images and documenting its efforts in writing. (Sec. 1)
6. Instructs DCS to develop training for its employees exercising oversight of children and their supervisors, including training on efforts to locate missing, abducted or runaway children. (Sec. 1)
7. Specifies actions DCS must take when a child is located, including contacting appropriate entities and conducting certain assessments. (Sec. 1)
8. Requires DCS to report certain information regarding missing, abducted or runaway children and DCS's compliance with the above requirements to the legislature. (Sec. 1)
9. Authorizes the legislature to require an annual independent audit of DCS's compliance with the above requirements and, if found to not be in compliance, mandates that DCS contract with a third party to oversee its efforts to locate missing, abducted or runaway children. (Sec. 1)
10. Makes technical changes. (Sec. 1)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DPA 15-0-0-0

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**HB2670: state agencies; veterans status; inquiry**  
**Sponsor: Representative Travers, LD 12**  
**Caucus & COW**

**Overview**

Requires all state agencies, boards, commissions and other administrative units of Arizona (agencies) to ask all individuals if they have served in the military, and to provide specified veteran's information for those who have served.

**History**

The Arizona Department of Veterans' Services ([ADVS](#)) provides services to veterans through various means including: 1) the administration of professional benefits counselors located throughout the state; 2) operating skilled-nursing veterans' home facilities to provide short-term and long-term care; and 3) operating veterans' memorial cemeteries ([A.R.S. § 41-603](#)).

The Arizona Be Connected program is a statewide effort to reduce deaths by suicide in Arizona military and veteran populations by providing support and resources ([BeConnected](#)).

**Provisions**

1. Requires all agencies to ask every individual at the initial point of service, and print on each application form, the following question: *Have you or a family member ever served in the military?* (Sec. 1)
2. Directs the agency to provide individuals who did serve in the military with a website address and contact information for ADVS and the Be Connected Program. (Sec. 1)
3. Contains a delayed effective date of January 1, 2024. (Sec. 2)

**Amendments**

*Committee on Military Affairs and Public Safety*

1. Includes *Space Force* in the definition of *Armed Forces of the United States*.
2. Appropriates \$50,000 from the State General Fund to ADVS in FY 2024 for costs associated with including *Space Force* as an enumerated branch.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 10-5-0-0

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**HB 2675: drug cartels; terrorist organizations**  
**Sponsor: Representative Montenegro, LD 29**  
**Caucus & COW**

**Overview**

Declares that drug cartels are terrorist organizations and requires the Arizona Department of Homeland Security (AZDOHS) to do everything within its authority to address the threat that drug cartels pose.

**History**

Laws 2006, Chapter 317 established AZDOHS with the primary directive of deterring and mitigating acts of terrorism and other domestic security concerns. Current law requires AZDOHS to:

- 1) Formulate policies, plans and programs to enhance Arizona's ability to prevent and respond to acts of terrorism, cybersecurity threats and other critical hazards;
- 2) Adhere to all federal grant terms and conditions;
- 3) Request appropriations or grants of monies for homeland security purposes;
- 4) Receive all awards granted to Arizona by the federal government for homeland security purposes; and
- 5) Distribute monies to local jurisdictions and other organizations eligible under federal regulations based on criteria in the federal grant guidelines ([A.R.S. § 41-4254](#)).

Statute also establishes five AZDOHS regional advisory councils, representing the north, east, south, west and central regions of Arizona. In coordination with AZDOHS, these regional advisory councils are required to support and assist in implementing Arizona's comprehensive statewide risk assessment and an integrated regional approach to homeland security, among other responsibilities ([A.R.S. § 41-4258](#)).

**Provisions**

1. Declares that drug cartels are terrorist organizations. (Sec. 1)
2. Requires AZDOHS to do everything within its authority to address the threat posed by drug cartels. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 8-7-0-0 | APPROP DP 9-6-0-0

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**HB 2704: appropriation; border; law enforcement; prosecution**  
**Sponsor: Representative Biasiucci, LD 30**  
**Caucus & COW**

## **Overview**

Establishes the Exploitation at the Border Fund (Fund) to be administered by the Department of Public Safety (DPS). Appropriates \$43,000,000 to the Fund from the State General Fund (GF).

## **History**

DPS is a statewide law enforcement agency that is responsible for creating and coordinating services for public safety and aiding local and county law enforcement agencies. DPS is organized into the following four divisions: 1) Arizona Highway Patrol; 2) Narcotics Enforcement and Criminal Investigation; 3) Scientific Criminal Analysis; and 4) Training and Education (A.R.S. §§ [41-1711](#); [41-1712](#)).

## **Provisions**

1. Establishes the Fund consisting of legislative appropriations and specifies that the monies are continuously appropriated. (Sec. 1)
2. Directs DPS to administer the Fund. (Sec. 1)
3. Instructs DPS to distribute monies in the Fund to sheriffs and other local law enforcement agencies in border counties. (Sec. 1)
4. Authorizes monies to be used for:
  - a) prosecuting individuals charged with drug trafficking, human smuggling, illegal immigration and other border-related crimes; and
  - b) funding sworn peace officers engaged in combating specified smuggling and border-related crimes. (Sec. 1)
5. Appropriates \$43,000,000 from the GF to the Fund in FY 2024. (Sec. 2)
6. Exempts the appropriation from lapsing. (Sec. 2)
7. Designates this legislation with the short title *Securing Arizona Families From Exploitation At The Border Act*. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 14-0-0-1 | APPROP DP 12-1-2-0

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**HB2725: appropriation; department of veterans' services**  
**Sponsor: Representative Marshall, LD 7**  
**Caucus & COW**

**Overview**

Appropriates \$1,000,000 from the state General Fund (GF) in FY 2024 to the Arizona Department of Veterans' Services (ADVS) to distribute to Gila County for the Pleasant Valley Veterans Retreat.

**History**

The Pleasant Valley Veterans Retreat is a non-profit organization currently constructing and renovating a veterans retreat in the city of Young, Arizona. The goal and purpose of the Pleasant Valley Veterans Retreat is to meet the needs and interests of its veteran visitors and their families and to provide a place of healing and hope through exposure to the outdoors and connectedness to programs and community ([Pleasant Valley Veterans Retreat](#)).

**Provisions**

1. Appropriates \$1,000,000 from the state GF to ADVS to distribute to Gila County for the Pleasant Valley Veterans Retreat for FY 2024. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 14-0-0-1 | APPROP DP 15-0-0-0

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**HB2726: appropriation; DPS; mobile radio system**  
**Sponsor: Representative Marshall, LD 7**  
**Caucus & COW**

**Overview**

Appropriates \$44,100,000 from the state General Fund (GF) to the Department of Public Safety (DPS) for land mobile radio system expansion and upgrades in FY 2024.

**History**

DPS owns, operates and maintains a statewide microwave and land mobile radio network which provides critical public safety voice and radio communications for multiple State of Arizona agencies and several local, federal and tribal agencies ([DPS FY 2024 Budget Request](#)).

This managed network includes: 1) two-way radio communications; 2) microwave backhaul; 3) dispatch console systems; 4) site infrastructure; and 5) cellular voice and data solutions ([DPS FY 2024 Budget Request](#)).

**Provisions**

1. Appropriates \$44,100,000 from the state GF to DPS for land mobile radio system expansion and upgrades in FY 2024. (Sec. 1)
2. Exempts the appropriations from lapsing. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 14-0-0-1

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## **HB2751: appropriation; DPS; uniform allowance**

**Sponsor: Representative Peña, LD 23**

**Caucus & COW**

### **Overview**

Appropriates \$657,800 from the state General Fund (GF) to the Department of Public Safety (DPS) in FY 2024 for increased uniform allowances.

### **History**

In their [FY 2024 Budget Request](#), DPS is requesting funds for their sworn uniform allowance and for three professional staff allowances; these allowances have not increased since FY 2006. General inflation has been about 52% since 2006, suggesting that an increase of about 50% is necessary to restore the purchasing power of the allowances.

### **Provisions**

1. Appropriates \$657,800 from the state GF to DPS in FY 2024 for increased uniform allowances for peace officers and professional staff members. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DPA 14-0-0-1 | APPROP DP 15-0-0-0

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## **HB2755: appropriation; real-time crime center**

**Sponsor: Representative Jones, LD 17**

**Caucus & COW**

### **Overview**

Appropriates \$1,500,000 from the state General Fund (GF) to the Department of Public Safety (DPS) in FY 2024 to distribute to the City of Tucson to operate a Real Time Crime Center (RTCC).

### **History**

RTCCs are operations centers that support law enforcement and fire departments to prevent and reduce crime, provide effective and efficient police service to the community and enhance citizen and officer safety. RTCCs can connect and integrate various law enforcement tools such as: 1) computer aided dispatch; 2) automated police vehicle locators; 3) license plate readers; 4) Live911; and 5) city-owned and other authorized CCTV cameras ([RTCC Mesa](#); [RTCC Glendale](#)).

### **Provisions**

1. Appropriates \$1,500,000 from the GF to DPS in FY 2024 to distribute to the city of Tucson to operate a real-time crime center. (Sec. 1)
2. Exempts the appropriation from lapsing. (Sec. 1)

### **Amendments**

*Committee on Military Affairs and Public Safety*

1. Adds a requirement that the RTCC be available for use across the whole region.

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DPA 8-7-0-0

## **HB 2756: law enforcement; defunding; prohibition**

**Sponsor: Representative Marshall, LD 7**

**Caucus & COW**

### **Overview**

Mandates that a city or town (municipality) must not reduce the annual operating budget (budget) of a law enforcement agency below the previous year's budget.

### **History**

The Urban Revenue Sharing (URS) program provides that a percentage of state individual and corporate income tax revenues are to be shared with municipalities in Arizona. The amount currently distributed to municipalities is 15% of net income tax collections from the fiscal year two years prior to the current fiscal year. URS monies are distributed to municipalities based on population ([A.R.S. § 43-206](#); [JLBC FY 2024 Baseline, GF Revenue](#); [DOR Tax Handbook, Individual Income Tax](#)).

Revenues collected through state transaction privilege tax (TPT), often called "sales tax", are also shared with Arizona's counties and municipalities through a complex system of formulas established in statute. The Department of Revenue transmits all TPT revenues to the State Treasurer, a portion of which are designated for distribution to counties, municipalities, and other purposes. After the required distributions, remaining monies are credited to the General Fund ([A.R.S. § 42-5029](#); [DOR Tax Handbook, TPT](#)).

### **Provisions**

1. Prohibits a municipality from reducing the budget of a law enforcement agency below the previous year's budget. (Sec. 1)
2. Requires a municipality that reduces a law enforcement agency's budget to notify the State Treasurer. (Sec. 1)
3. Requires the State Treasurer to withhold URS and state-shared TPT monies, from a municipality that reduces a law enforcement agency's budget, in an amount equal to the budget reduction. (Sec. 1, 2, 3)
4. Specifies that the State Treasurer is to continue withholding state shared monies until the municipality restores the law enforcement agency's budget. (Sec. 1, 2, 3)
5. Stipulates that the State Treasurer is not to withhold any amount of state shared monies which the municipality certifies as being necessary to make required payments for debt service on bonds or other long-term obligations issued or incurred before the reduction in the law enforcement agency's budget. (Sec. 2, 3)
6. Provides that if a municipality does not have the monies required, to continue the law enforcement agency's budget at the same amount as the previous year, that the municipality will not have its state shared monies withheld. (Sec. 1)
7. Defines *law enforcement agency*. (Sec. 1, 2, 3)
8. Makes technical and conforming changes. (Sec. 2, 3)

### **Amendments**

*Committee on Military Affairs and Public Safety*

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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1. Requires a municipality that reduces the budget of a law enforcement agency to reduce the budget of all other departments within the municipality by an equal amount.
2. Asserts that the budget of a law enforcement agency must be the last budget to be reduced.
3. Stipulates that onetime capital improvement is not considered part of a law enforcement agency's budget.
4. Specifies and delineates what is considered *severe financial hardship*, for the purposes of exempting a municipality from the requirement to continue a law enforcement agency's budget at the same amount as the previous year.
5. Alters the calculation of the budget to be the *per capita annual operating budget*.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MAPS DP 14-1-0-0 | APPROP DP 15-0-0-0

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**HB 2760: appropriation; DPS; standby pay**  
**Sponsor: Representative Gillette, LD 30**  
**Caucus & COW**

**Overview**

Appropriates \$9,400,000 from the State General Fund (GF) to the Department of Public Safety (DPS) to provide for employee standby pay.

**History**

DPS is a statewide law enforcement agency that is responsible for creating and coordinating services for public safety and aiding local and county law enforcement agencies. DPS is currently organized into the following four divisions: 1) Arizona Highway Patrol; 2) Narcotics Enforcement and Criminal Investigation; 3) Scientific Criminal Analysis; and 4) Training and Education. Beginning in 2025, DPS will have a fifth division, the Major Incident Division (A.R.S. §§ [41-1711](#); [41-1712, version 2](#)).

*Standby pay* is pay provided to employees who are required to be available for immediate call-out and response to their work duties ([DPS FY 2024 Budget Request](#)).

**Provisions**

1. Appropriates \$9,400,000 from the GF in FY 2024 to DPS to pay the costs of standby pay for DPS employees. (Sec. 1)
2. States that the legislature intends this appropriation to be an ongoing appropriation. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DP 6-3-1-0

## **HB 2546: large school districts; division; election**

**Sponsor: Representative Jones, LD 17**

**Caucus & COW**

### **Overview**

Outlines the circumstances in which a county school superintendent must call an election to determine whether a qualifying school district should be divided.

### **History**

#### ***Division of School Districts***

A county school superintendent is required to call an election to determine if a school district with a student count of at least 601 should be divided and new school district(s) formed upon request from a school district governing board or qualified electors. The election is held concurrently whereby a majority of votes cast by the qualified electors in each of the proposed areas must approve the division of the existing school district and the formation of the new school district. The boundaries of the proposed school district must meet certain minimum requirements, such as containing a sufficient number of pupils to ensure that educational programs and services will be of a similar or better quality after the subdivision ([A.R.S. § 16-458](#)).

#### ***Average Daily Membership (ADM)***

ADM is the total enrollment of part-time and full-time students, minus withdrawals of each school day through the first 100 or 200 days of the school year. ADM is a key component in the Arizona school finance system ([A.R.S. § 15-901](#) et. seq.).

### **Provisions**

1. Instructs county school superintendents to call an election for school districts that have an unweighted ADM of at least 35,000 for the purpose of determining whether the school district should be divided. (Sec. 1)
2. Specifies that the election must be called within one year after the end of the fiscal year. (Sec. 1)
3. Instructs a county school superintendent, if a school district had an FY 2022 unweighted ADM of at least 35,000, to call an election within one year after the end of FY 2023 to determine whether the school district should be divided. (Sec. 3)
4. Prohibits a county school superintendent, if an election to divide a qualifying school district was called and not approved by the voters, from calling subsequent elections to divide a school district, unless such an election is requested by a governing board or electors as statutorily prescribed. (Sec. 1)
5. Makes technical and conforming changes. (Sec. 1, 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DP 6-4-0-0

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**HB2552: voting; elections; tally; prohibition**  
**Sponsor: Representative Smith, LD 29**  
**Caucus & COW**

**Overview**

Prohibits the use of Ranked Choice Voting (RCV) in Arizona elections.

**History**

In all Arizona elections, the candidate that receives the highest number of votes is declared elected ([Art. VII § 7, Const. of Arizona](#)).

RCV allows each voter to rank multiple candidates for the same office on a ballot in order of preference rather than making a single choice. After the ballots in the election have been counted, if a candidate is a majority of the electorate's first choice, that candidate is the winner of the election ([CRS Report](#)).

**Provisions**

1. States for every election in this state, the person who receives the highest number of votes be declared elected. (Sec. 1)
2. Prohibits any city, town, county, or political subdivision of this state from using a voting method that does any of the following:
  - a. Allows voters to rank more candidates than are eligible to be elected for office;
  - b. Allows cast ballots to be tabulated in a manner that eliminates candidates through multiple rounds; or
  - c. Requires the ranking of all candidates running for a singular office. (Sec. 1)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DPA 6-4-0-0

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## **HB 2591: elections; early ballot drop boxes** **Sponsor: Representative Griffin, LD 19** **Caucus & COW**

### **Overview**

Establishes specified minimum requirements for the use of early ballot drop boxes.

### **History**

The County Recorder or officer in charge of elections can begin mailing out early ballots 27 days before the election. An early election board can tabulate early ballots as soon as they are received. In Arizona, mailed early ballots must be received by the County Recorder or officer in charge of elections no later than 5:00 pm 11 days before the election ([A.R.S. § 16-542](#)).

A voter may also drop off a voted early ballot on election day. Before the early ballot can be tabulated, election officials must compare the signature on the ballot affidavit with the signature on the voter's registration record. Provided the County Recorder or officer in charge of elections allows for the on-site tabulation of voted early ballots, a voter may, upon presentation of valid identification and while under the supervision of an election official, remove the early ballot from the completed affidavit envelope and insert it into a tabulating machine (A.R.S. §§ [16-550](#), [16-579.02](#)).

### **Provisions**

1. Authorizes the use of ballot drop boxes used to receive voted early ballots, if the drop boxes are:
  - a. Located inside a county building or secured to a building or footing if located outside;
  - b. Usable only during specified days and times and locked in a manner that prevents the deposit of ballots during off hours; and
  - c. Monitored by a functioning camera or video recorder that meets specified requirements. (Sec. 1)
2. Modifies the penalty for a person who knowingly marks a ballot or ballot envelope with the intent to fix an election to include a fine of \$1,000 for each ballot. (Sec. 2)
3. States a person who unlawfully possesses voted or unvoted ballots for sale is subject to a fine of \$1,000 for each ballot. (Sec. 2)
4. Asserts a person who knowingly collects voted or unvoted early ballots is subject to a \$100 fine for each ballot unlawfully collected from a voter or unlawfully delivered to a ballot drop box. (Sec. 2).
5. Makes technical and conforming changes. (Sec. 2)

### **Amendments**

*Committee on Municipal Oversight & Elections*

1. Makes a spelling correction.
2. Contains a legislative intent statement.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DP 6-4-0-0

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**HB2613: voting equipment; requirements; origin**  
**Sponsor: Representative Montenegro, LD 29**  
**Caucus & COW**

**Overview**

Establishes additional requirements for the certification of vote recording and vote tabulation machines in federal, state and county elections administered by the state.

**History**

The Secretary of State is charged with appointing a committee to investigate and test the various types of vote recording and vote tabulating machines that can be certified for use in federal, state and county elections. The committee submits its recommendations to the Secretary of State who makes the final adoption of which machines will be certified for use in this state. Machines used at any election for federal, state or county offices may only be used in this state if they comply with the Help America Vote Act (HAVA) and if those machines have been tested and approved by a laboratory that is accredited pursuant to the HAVA ([A.R.S. § 16-442](#)).

**Provisions**

1. Prohibits the Secretary of State from certifying a vote recording and vote tabulating machine used for elections for federal, state or county offices unless:
  - a. 100% of all the machine's parts and components are sourced from the United States; and
  - b. 100% of all the machine's manufacturing and assembly is performed in the United States. (Sec. 1)
2. Contains a delayed effective date of January 1st, 2028. (Sec. 1)
3. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DPA 6-3-0-1

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**HB2691: elections; ballot chain of custody**  
**Sponsor: Representative Heap, LD 10**  
**Caucus & COW**

**Overview**

Specifies the chain of custody standards that must be maintained during the transfer of ballot boxes, delivery of voted ballots, duplication of ballots and tabulation of ballots.

**History**

The County Recorder or other officer in charge of elections must designate two ballot retrievers from two differing political parties to retrieve voted ballots from a ballot drop-off location or drop-box. Upon arrival, the ballot retrievers must note the location and identification number of the drop-box and the date and time of the arrival on the prescribed retrieval form that is to be provided by the county recorder or other officer in charge of elections.

A chain of custody for accessible voting devices must be tracked and logged by a team of two election board workers or staff of the County Recorder or other officer in charge of elections. The log must include: the seal numbers on the device; for devices that mark and tabulate, the number of votes cast at the time the device was turned on and the number of votes cast at the time the device was turned off; and a place for the two board workers or county staff to initial or sign verifying the information ([Elections Procedures Manual 2019](#)).

For any statewide, county or legislative election, the County Recorder or officer in charge of elections must provide a live video recording of the custody of all ballots while the ballots are present in a tabulation room in the counting center. The live video recording must include date and time indicators and shall be linked to the Secretary of State's website. The County Recorder or other officer in charge of elections shall maintain chain of custody records for all election equipment and ballots during early voting through the completion of provisional voting tabulation ([A.R.S. 16-621](#)).

**Provisions**

1. Adds that all ballot boxes must have a tamper evident seal. (Sec. 1)
2. Mandates that a law enforcement officer must aid in the transfer of the ballot box. (Sec. 1)
3. Specifies the details that must be included in a chain of custody report for the opening or transferring of a ballot box. (Sec. 1, 3)
4. Requires the County Recorder or other officer in charge of elections to prepare a chain of custody report for the transportation and delivery of voted ballots. (Sec. 2)
5. States that all damaged or defective ballots that are replaced with a duplicate ballot must be recorded in a detailed chain of custody report. (Sec. 3)
6. Adds that the live video recording for the custody of ballots must include the signature verification process and each signature verification workstation. (Sec. 3)
7. Mandates that the live video recording for the custody of ballots must provide full visibility of all ballots. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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8. Instructs the County Recorder or other officer in charge of elections to keep a specified record of all voting irregularities. (Sec. 3)
9. Directs the County Recorder or other officer in charge of elections to provide a copy of the voting irregularity record to specified members of the Legislative and Executive Branches. (Sec. 3)

**Amendments**

*Committee on Municipal Oversight and Elections*

1. States that the chain of custody record must begin at the printing location of the ballot and continue through the delivery of the ballot.
2. Specifies that the record must include the date, time and signature for each point of contact.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DPA 6-4-0-0

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**HB2722: elections; option; full hand count**  
**Sponsor: Representative Griffin, LD 19**  
**Caucus & COW**

**Overview**

Grants specified individuals the option to hand count ballots in an election where the counting center is utilizing automatic tabulating equipment.

**History.**

If it becomes impracticable to count all or some of the ballots with tabulating equipment, the officer in charge of elections may direct ballots be counted manually, following the provisions governing the counting of paper ballots. No valid ballot shall be left uncounted ([Elections Procedures Manual](#)).

The officer in charge of elections must commence the hand count with a public announcement and explanation of the procedure. The hand count must begin within 24 hours after the polls close on Election Day and must be completed before the county canvass. Throughout the hand count, the officer in charge of elections must retain custody and control of all hand counted ballots ([A.R.S. § 16-602](#)).

**Provisions**

1. States that an officer in charge of elections, the County Recorder or any person designated by the Board of Supervisors may hand count ballots in an election. (Sec. 1)
2. Specifies that if a portion of ballots are to be counted by hand, those ballots must be randomly selected. (Sec. 1)
3. Makes technical changes. (Sec. 1)

**Amendments**

*Committee on Municipal Oversight and Elections*

1. Adds a section that contains a legislative intent clause.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DP 6-4-0-0

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**HB 2785: early voting; absentee; military**  
**Sponsor: Representative Harris, LD 13**  
**Caucus & COW**

## **Overview**

Prohibits voting by mail, except for individuals covered under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and makes specified restrictions to the early voting process.

## **History**

### ***Early Voting***

The County Recorder or officer in charge of elections can begin mailing out early ballots 27 days before the election. An early election board can tabulate early ballots as soon as they are received. In Arizona, mailed early ballots must be received by the County Recorder or officer in charge of elections no later than 5:00 pm 11 days before the election ([A.R.S. § 16-542](#)).

A voter may also choose to vote early in person at an on-site early voting location established by the County Recorder. To vote early in person, an individual must present valid identification and must cast the ballot issued at that voting location ([A.R.S. §§ 16-246, 16-542](#)).

### ***Active Early Voting List***

A qualified elector may request to be added to the Active Early Voting List for the purpose of automatically receiving an early ballot by mail for all elections the person is qualified to vote in. Once added to the list, the County Recorder is required to mail each person all early ballots that voter is eligible to vote, no later than the first day of early voting. Any voter on the Active Early Voting List may request to be removed at any time ([A.R.S. § 16-544](#)).

### ***Voting Centers***

[Laws 2011, Chapter 331 § 3](#) authorized a county Board of Supervisors to utilize voting centers in place of or in addition to precinct-based polling places. A voting center is a location within a county where individuals can vote regardless of which voting precinct the individual lives in ([A.R.S. § 16-411](#)).

### ***Uniformed and Overseas Citizens Absentee Voting Act***

UOCAVA requires states to allow certain groups of citizens to register and vote an early absentee ballot in elections for federal offices. Individuals covered by UOCAVA include United States citizens who are members of the uniformed services and merchant marine, their family members and United States citizens residing outside of the United States ([P.L. 99-410](#)).

## **Provisions**

### ***On-Site Early Voting***

1. Directs the County Recorder to establish and the Board of Supervisors to authorize a single on-site early voting location at the main office of the County Recorder. (Sec. 7, 10)
2. Specifies the on-site early voting location must open on the 15th day before election day. (Sec. 10)
3. Prohibits the County Recorder from opening more than one location for early voting. (Sec. 10)
4. Asserts only the voters who have signed an application that certifies that they expect to be absent from their precinct on election day may vote at an on-site early voting location. (Sec. 10)



5. Specifies a voter must complete an early voting application form that requires the voter to select an attestation that describes their need to vote early, under penalty of perjury. (Sec. 10)
6. Stipulates that a voter may only vote apply for early voting if the voter:
  - a. Is confined;
  - b. Will be absent from their precinct on election day; or
  - c. Expects to be outside the state on election day. (Sec. 10)
7. Asserts a confined voter may only vote by use of a special election board. (Sec. 10, 15)
8. Outlines the voting procedures for a person who votes by use of a special election board. (Sec. 15)
9. Stipulates if a voter is absent from their precinct on election day, the individual may vote early by appearing in person at the on-site early voting location at the County Recorder's main office. (Sec. 10)
10. States the County Recorder is prohibited from mailing a ballot to an Arizona address. (Sec. 10).
11. Directs the County Recorder or officer in charge of elections to provide for early voting applications to be received by mail, online or in person. (Sec. 10)
12. Requires a voter applying for early voting to provide the last four digits of their Social Security Number. (Sec. 10)
13. Repeals language concerning an early voter's request for an early primary and general election ballot. (Sec. 10)
14. Removes language allowing for candidates, political committees and other organizations to distribute early ballot request forms to voters. (Sec. 10)
15. Specifies early ballots must be deposited three days before election day to be counted and valid. (Sec. 14)
16. Requires all early votes to be counted on election day, before 7:00 pm. (Sec. 14)
17. Prohibits the results of the tally from being released until after 8:00 pm on election day. (Sec. 14)
18. Asserts the voter's signature on the early ballot affidavit must be notarized and contain the notary's attestation that the voter voted without assistance and outside the view of any other person. (Sec. 14)

#### ***Signature and Information Review Process***

19. Outlines minimum requirements of the County Recorder of officer in charge of elections involving the comparison of signatures and the last four digits of the voter's social security number. (Sec. 16)
20. Stipulates if inconsistent signatures, social security numbers or dates of birth are not cured within the allowed time, then the vote is invalid and not counted. (Sec. 16)
21. Allows a county political party, early election boards and party observers to make challenges to early ballots on the grounds that signatures are inconsistent or the last four digits of the voter's social security number or Date of Birth does not match the ballot affidavit. (Sec. 17)
22. Specifies party observers and early election challengers are allowed full access to all information used in the signature and information review process. (Sec. 17)
23. Directs the County Recorder or officer in charge of elections to provide the county political party, upon their request and before removing the ballots from their privacy envelopes:
  - a. A copy of all early ballot envelopes;
  - b. All reference signatures; and
  - c. Information for all accepted ballots. (Sec. 17)

#### ***Repeal of Voting Centers***

24. Repeals statute that allows a county Board of Supervisors to authorize the use of voting centers in place of or in addition to specifically designated polling places. (Sec. 7)

***Repeal of the Active Early Voting List***

25. Repeals statute allowing voters to request to be included on the Active Early Voting list. (Sec. 4, 5, 8, 9 and 12)

***Absentee Voting***

26. Specifies a voter may not receive a mail ballot unless the person expects to be outside the state on election day and the 15 preceding days. (Sec. 10)
27. Designates requested ballots for voters who qualify under UOCAVA as absentee ballots. (Sec. 11)
28. Specifies early absentee ballots can only be mailed to a qualified elector at a temporary address outside Arizona. (Sec. 10)
29. States the Secretary of State may only receive federal postcard applications that are mailed, emailed or sent through the Secretary of State's website. (Sec. 11)
30. Repeals language that requires the Secretary of State to provide emergency procedures regarding the early balloting process for persons qualified under UOCAVA. (Sec. 11)

***Presidential Preference Elections***

31. Repeals language allowing a qualified presidential elector who has begun residence in another state from casting an early ballot by mail or from the precinct in which the individual was removed. (Sec. 1)
32. Repeals statute stating a presidential elector may request an early ballot. (Sec. 5)
33. Removes language that allows a presidential elector who experienced an emergency after 5:00 pm on the Friday preceding the presidential preference election to cast an emergency ballot. (Sec. 5)
34. Deletes language allowing the officer in charge of elections to conduct presidential preference elections by mail in precincts that contain fewer than 300 registered voters. (Sec. 6)

***Special District and Nonpartisan Elections***

35. Repeals language allowing a governing board of a special district to authorize special district elections to be conducted by mail. (Sec. 2)
36. Removes statute allowing a governing body to use mail ballots in nonpartisan elections. (Sec. 3)

***Miscellaneous***

37. Makes technical and conforming changes. (Sec. 1, 4, 6, 7, 8, 10, 11, 13, 14, 16 and 17)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DPA/SE 6-4-0-0

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**HCR2006: bonds; elections; technical correction**  
**S/E: sessions of legislature; repeal sessions**  
**Sponsor: Representative Heap, LD 10**  
**Caucus & COW**

## **Summary of the Strike-Everything Amendment to HCR 2006**

### **Overview**

Establishes a repeal session of the Legislature to consider the repeal of current law.

### **History**

The Legislature meets annually for regular session beginning on the second Monday in January. The [Rules of the House of Representatives](#) require regular sessions be adjourned *sine die* no later than the 100th day of session, except that the Speaker of the House may extend the session by 7 days. If the Speaker of the House extends the session by 7 days, an additional extension of the session can only be authorized by a majority vote of the chamber ([Art. IV, Part 2 § 3, Const. of Ariz.](#)).

### **Provisions**

1. Requires the commencement of a repeal session on the second Monday in October in odd numbered years. (Sec. 1)
2. Specifies during a repeal session, the Legislature may only consider the repeal of current law. (Sec. 1)
3. Requires the Secretary of State to submit the proposition to the voters at the next general election. (Sec. 2)
4. Becomes effective if approved by the voters and on proclamation of the Governor. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DPA 6-4-0-0

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## **HCR2033: primary elections; eligible candidates**

**Sponsor: Representative Smith, LD 29**

**Caucus & COW**

### **Overview**

Prohibits any election law in Arizona that is contrary to the direct primary election law as outlined in the Arizona Constitution.

### **History**

A regular primary election is the first Tuesday in August in any year that a general election or special election is held and at which candidates for public office are to be elected. At least 120 days before the date of a regular primary election, the Secretary of State must prepare and transmit the state and federal offices for which candidates are to be nominated for at the primary election to the Board of Supervisors of each county (A.R.S. §§ [16-201](#), [16-202](#)).

Ranked choice voting allows each voter to rank multiple candidates for the same office on a ballot in order of preference rather than making a single choice. After the ballots in the election have been counted, if a candidate is a majority of the electorate's first choice, that candidate is the winner of the election ([CRS Report](#)).

### **Provisions**

1. Clarifies that the direct primary election law of Arizona supersedes any contrary law of any charter, law, ordinance, rule, resolution or policy of any city or town. (Sec. 1)
2. Requires the direct primary law to be conducted in a manner that allows each qualified political party to nominate a number of candidates equal to the number of available positions in a given office. (Sec. 1)
3. Adds that all eligible candidates who are nominated in the primary are to be placed on the ballot for the subsequent general election. (Sec. 1)

### **Amendments**

*Committee on Municipal Oversight and Elections*

1. Makes a technical change.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DPA 6-4-0-0

## **HCR2040: in-person precinct voting; absentee voters**

**Sponsor: Representative Jones, LD 17**

**Caucus & COW**

### **Overview**

Prohibits a county Board of Supervisors from establishing an election precinct that contains more than 1,000 registered voters. Limits the option to vote by mail to only qualified electors that meet specified criteria.

### **History**

#### ***Election Precincts and Voting Centers***

Arizona utilizes two forms of voting locations: polling places and voting centers. Polling places are specifically designated locations within election precincts where voters who reside in that precinct must vote. Voting centers are locations within a county where individuals can vote regardless of the person's designated election precinct.

A Board of Supervisors may establish precinct-based polling places, voting centers or any combination of the two. The co-location of precinct-based polling places or voting centers that also serve as polling places for certain precincts is also authorized upon the approval of the Board of Supervisors. Voting locations must be finalized at least 20 days before statewide primary or general elections and 10 days before special elections. In certain circumstances, the Board of Supervisors can establish emergency voting centers ([A.R.S. § 16-411](#)).

#### ***Uniformed and Overseas Citizens Absentee Voting Act***

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) requires states to allow certain groups of citizens to register and vote an early absentee ballot in elections for federal offices. Individuals covered by UOCAVA include United States citizens who are members of the uniformed services and merchant marine, their family members and United States citizens residing outside of the United States ([P.L. 99-410](#)).

#### ***Active Early Voting List***

A qualified elector may request to be added to the Active Early Voting List for the purpose of automatically receiving an early ballot by mail for all elections in which the person is qualified to vote. Voters on the Active Early Voting List may request to be removed at any time ([A.R.S. § 16-544](#)).

### **Provisions**

#### ***Election Precincts***

1. Prohibits, on the date election precinct boundaries are established, a county Board of Supervisors from establishing an election precinct containing more than 1,000 registered voters. (Sec. 5)
2. Specifies the Board of Supervisors may not authorize the use of voting centers in place of or in addition to specifically designated polling places. (Sec. 5)
3. Repeals language concerning the use of voting centers and emergency voting centers. (Sec. 5)

#### ***Early and Absentee Voting***

4. Specifies all Arizona elections must provide for absentee voting. (Sec. 10)
5. Designates early ballots that are distributed by mail as absentee ballots. (Sec. 10)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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6. Limits the persons who may vote by absentee ballot to individuals who:
  - a. Expect to be absent from their precinct at the time of the election;
  - b. Are physically unable to go to the polls;
  - c. Are visually impaired;
  - d. Have a disability;
  - e. Are 65 years of age or older;
  - f. Reside more than 15 road miles from the individual's designated polling place;
  - g. Cannot attend the polls on election day due to sincerely held religious beliefs; or
  - h. Are covered under UOCAVA. (Sec. 10)
7. Limits voting by mail to only those individuals who are eligible to vote by absentee ballot. (Sec. 11)
8. Adds to the information an elector requesting an official absentee ballot must provide to include one of the specified valid reasons for voting absentee. (Sec. 11)
9. Requires an absentee ballot to be accompanied by a printed affidavit that includes an attestation of the voter that the voter meets the criteria for receiving an absentee ballot. (Sec. 13)
10. Repeals statute allowing the County Recorder to establish early on-site voting locations. (Sec. 11)
11. Repeals statute allowing the County Recorder to use information from an early ballot request form to update voter registration records. (Sec. 11)
12. Repeals the section of statute concerning the preparation of early ballots. (Sec. 12)
13. Repeals the section of statute concerning the Active Early Voting List. (Sec. 12)

#### ***Penal Provisions***

14. States an election officer who knowingly delivers or mails an absentee ballot to a person who has not requested an absentee ballot for that election is guilty of a class 5 felony. (Sec. 11)
15. Specifies a person who knowingly removes an official ballot from an on-site voting location before the closing of the polls is guilty of a class 2 misdemeanor. (Sec. 16)

#### ***Miscellaneous***

16. Revises the criteria the Secretary of State must use to develop a method for reducing voter wait times. (Sec. 5)
17. Requires the Secretary of State to submit the proposition to the voters at the next general election. (Sec. 1)
18. Becomes effective if approved by the voters and on proclamation of the Governor. (Sec. 1 – 17)
19. Contains a conforming Legislation Clause. (Sec. 17)
20. Makes technical and conforming changes. (Sec. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15 and 16)

#### **Amendments**

##### *Committee on Municipal Oversight & Elections*

1. Increases, from 65 to 75 years of age or older, the age in which a person may vote by absentee ballot.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: NREW DP 6-3-1-0

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**HB 2561: city water provider; requirements; service**  
**Sponsor: Representative Kolodin, LD 3**  
**Caucus & COW**

**Overview**

Directs a municipality to provide water service through a standpipe until 2026 to up to 750 households that lack access to sufficient water if those households had previously received water service from the municipality, the municipality is reimbursed for providing water service and providing this water does not reduce water available to the municipality or the households.

**History**

In response to a declared shortage on the Colorado River, the City of Scottsdale ceased providing water for hauling to Rio Verde Foothills in 2023. This unincorporated community borders the City of Scottsdale and contains about 2,000 households. Most residents use wells for a domestic water source, but approximately 500-700 households depend on the delivery of hauled water. One source of hauled water was a filling station operated by the City of Scottsdale, which provided about 117 acre-feet of water to Rio Verde Foothills annually.

In August 2021, the Bureau of Reclamation declared a Tier 1 shortage on the Colorado River. The City of Scottsdale's [Drought Management Plan](#) required that when a Tier 1 shortage occurred, any water hauling operations would cease unless the customer could prove the hauled water was being directly supplied to a resident or business within the city's limits. In August 2022, the City of Scottsdale notified all water hauling customers that water service would cease on January 1, 2023 unless the customer could prove the hauled water was used within the city's limits. The City of Scottsdale terminated water service on January 1, 2023.

**Provisions**

1. Directs a municipality that provides water service to provide this service through a standpipe for water hauling to those who reside outside the municipality's water service area and who do not have access to sufficient water if all the following criteria apply:
  - a. Less than 750 households will be served;
  - b. The municipality previously provided water service to those who do not have access to sufficient water;
  - c. There is no other source of water within 10 miles of the affected households;
  - d. The municipality will be reimbursed for the costs of providing and delivering the water; and
  - e. Providing the water at the standpipe does not reduce the amount of water available to households within the municipality's water service area or to households outside the service area with whom the municipality has contracted to provide water. (Sec. 1)
2. Repeals the above requirements on December 31, 2025. (Sec. 2)
3. Contains an emergency clause. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input checked="" type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: DPA/SE 8-0-0-2

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**HB 2590: real estate disclosures; water; solar  
S/E: seller disclosure; water; solar; batteries  
Sponsor: Representative Griffin, LD 19  
Caucus & COW**

## **Summary of the Strike-Everything Amendment to HB 2590**

### **Overview**

Requires the seller's affidavit of disclosure for land divisions to contain applicable information on who hauls water to the property and the source of that water and whether the property has any battery energy storage devices. Additionally requires the seller to disclose in this affidavit information on the proper replacement and disposal of these devices.

### **History**

Counties may adopt ordinances for staff review and approval of land divisions, which involve splitting a parcel of land into five or fewer lots, parcels or fractional interests, each of which is ten acres or smaller. A land division application will be approved if:

- 1) The resulting lots, parcels or fractional interests comply with applicable county zoning requirements;
- 2) The applicant provides documentation demonstrating legal access to the lots, parcels or fractional interests and evidence indicating that each lot, parcel or fractional interest is physically accessible by a two-wheel drive passenger motor vehicle; and
- 3) The applicant reserves the necessary and appropriate utility easements to serve each resulting lot, parcel or fractional interest.

An application can still be approved if it does not comply with these requirements provided the applicant confirms that no building or use permit will be issued until the lot, parcel or fractional interest complies with all the above requirements. A county may also grant a variance to any of the requirements ([A.R.S. § 11-831](#)).

Someone who sells lands resulting from a land division must provide a written affidavit of disclosure to a buyer at least seven days before the property is transferred to the buyer. A buyer has the right to rescind a sale within five days of receiving this affidavit. This affidavit of disclosure must include information on:

- 1) Whether the property is served by a water supply that requires transportation of water to the property;
- 2) Whether the property is served by a private water company, a municipal water provider, a private well or a shared well; and
- 3) Whether the property has any solar energy devices, including whether those devices are sold or leased ([A.R.S. § 33-422](#))

### **Provisions**

1. Requires that the affidavit of disclosure furnished to buyers of a land division include:
  - a. For properties served by water transported to the property, the name and contact information of the water hauler or water hauling company that currently services the property and the name and location of the water supply from which the water is currently being transported;
  - b. Notices that solar energy devices and battery energy storage devices may contain hazardous materials; and



- c. Disclosure of whether the property has either leased or owned battery energy storage devices and, if so, information on how they must be replaced and disposed of and the name and contact information of the leasing company if the devices are leased. (Sec. 1)
- 2. Requires that the affidavit of disclosure be completed by the seller and contain all disclosures specified in statute. (Sec. 1)
- 3. Makes conforming changes. (Sec. 1)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: NREW DP 6-2-1-1

## **HB 2618: decommissioning; solar and wind; standards**

**Sponsor: Representative Griffin, LD 19**

**Caucus & COW**

### **Overview**

Requires county approval for permits to install solar or wind energy power plants and outlines requirements for the plant's location, site preparation, financial assurances, liability insurance, repairing damage to the plant, decommissioning the plant and transferring or selling the plant.

### **History**

Counties may form planning and zoning commissions to plan for land uses within the county. Districts may be zoned for various classes of residential, business and industrial uses. Additionally, county zoning ordinances must take into account access to incident solar energy ([A.R.S. § 11-811](#)).

A county board of supervisors may adopt a comprehensive plan to guide and coordinate development within the county. For counties with more than 125,000 people, these plans must include consideration for access to incident solar energy for all general categories of land uses. The comprehensive plans for counties with fewer than 125,000 people are not required to include this consideration ([A.R.S. § 11-804](#)).

A county building permit is required for any major construction or additions that occur outside of the boundaries of municipalities with building permit ordinances. In particular, counties must adopt certain standards for issuing permits to build solar panel systems that will connect to a utility system. These standards require:

- 1) The system's location to be indicated on the construction plans, including the roof plan and elevation;
- 2) The panel mounting details be included in the installation plans;
- 3) Electrical diagrams with one-line and three-line diagrams; and
- 4) A cutsheet and listing for inverters when conversions from direct current to alternating current occur.

A county may not require a professional engineer's stamp for a solar panel system unless the county deems it necessary ([A.R.S. §§ 11-321](#) and [11-323](#)).

### **Provisions**

#### ***Application Requirements (Sec. 1)***

1. Requires someone who wishes to install a solar or wind energy power plant to apply for a permit with the county where the plant will be located.
2. Clarifies that any limitations on where a solar or wind energy power plant can be located do not apply to residual power returning to the grid that is provided by small-scale systems that primarily provide on-site power, subject to Arizona Corporation Commission rules.
3. Specifies that site-specific conditions or project scope, or both, may require the applicant to provide the county with certain information and analyses, such as environmental impact assessments or environmental impact statements and:
  - a. For solar energy power plants, Federal Aviation Administration obstruction analyses and cultural resource assessments; and
  - b. For wind energy power plants, visual impact analyses.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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***Transfer and Sale (Sec. 1)***

4. Prohibits the transfer of a solar or wind energy power plant or special use permit or the sale of the entity owning the plant without written acceptance by the transferee of the obligations required under this act.
5. Specifies that the transfer or sale does not eliminate the applicant's liability or responsibility (or that of any other party) for acts or omissions occurring before transfer or sale.
6. Authorizes a county to reassess the amount of bond when a transfer of unit ownership occurs and request an additional amount be posted to provide adequate surety that the current owner or operator will reimburse the county for any costs associated with these activities.

***Curing Damage and Cessation of Use (Sec. 1)***

7. Directs the solar or wind energy power plant owner or operator to cure any deficiency within 90 days of written notice from the county if any part of the plant is damaged or violates a permit condition.
8. Instructs the applicant or any successors or assigns to remove the plant and restore the site at its own expense (consistent with a decommissioning plan) if the plant remains continuously nonfunctional or inoperative of over a year.

***Decommissioning Plan (Sec. 1)***

9. Requires all solar and wind energy power plant applications to include a decommissioning plan that is acceptable to the county to ensure that all system components are properly decommissioned at the end of their operational life.
10. Mandates the decommissioning plan indicate how the facility will be decommissioned and include a professional engineer's cost estimate of decommissioning, the financial resources that will be used for decommissioning, and financial assurance needed to fund the commissioning.
11. Requires the removal of a system include all above ground components and comply with certain criteria, including that the removal must be complete within a year unless otherwise approved by the county.
12. Prescribes requirements for site restoration including:
  - a. Minimizing ground disturbance and restoring the original ground contours;
  - b. Reasonably restoring and re-establishing disturbed on-site soils and vegetation using native seed mix and appropriate soil nutrients;
  - c. Restoring roads to their original condition;
  - d. Allowing access roads, fencing, drainage improvements and other minor improvements to remain with landowner's consent; and
  - e. Removing and remediating any hazardous materials.
13. Authorizes the county to enter the site after providing reasonable notice to the property own to complete the decommissioning plan.

***Financial Assurance (Sec. 1)***

14. Requires the plant owner or operator to continuously maintain financial assurance (starting before construction begins) in the amount of decommissioning costs determined by a licensed engineer.
15. Requires the owner or operator to pay all costs for the financial assurance.
16. Instructs the owner or operator to update this cost estimate every five years.
17. Allows the county to use the financial assurance for the costs of correcting other acts of noncompliance associated with the site requirements.

***Liability Insurance (Sec. 1)***

18. Requires the solar energy power plant owner or operator to maintain a liability insurance policy to cover installation and operation costs and include the account as an additional insured with the designation of primary and noncontributory.

19. Requires the applicant to immediately notify the county if the liability insurance policy undergoes any changes or is cancelled.

***Solar Energy Power Plant Specific Requirements (Sec. 1)***

20. Directs a county to issue a permit for a solar energy power plant in:
  - a. Light industrial and high industrial areas;
  - b. Rural zoning and general business zoning districts by special use authorization; or
  - c. As part of a professional development or master development plan.
21. Outlines the following site development standards that apply for permitting, constructing and operating a solar energy power plant:
  - a. Ground or pole-mounted systems may not exceed 20 feet in height;
  - b. Roof-mounted systems may not exceed 10 feet in height from the roof surface;
  - c. A solar energy power plant's setbacks from all property boundaries and road travel ways must be at least twice the minimum setback requirement for the respective zoning district or must equal the height of the tallest structure, whichever is greater;
  - d. Setback distance must be measured from the edge of the solar energy system array (excluding security fencing), screening or berm;
  - e. A minimum distance is not required between solar energy power plant components or design features and other structures on a property;
  - f. A ground-mounted solar energy system is exempt from lot coverage or impervious surface standards if the soil under the collector is maintained with perennial vegetated groundcover and not compacted;
  - g. The ground around and under solar panels and in project site buffer areas must be planted, established and maintained for the life of the solar project with vegetated perennial ground cover;
  - h. All on-site utility and transmission lines must be buried underground to the maximum extent feasible, except that power and communication lines between the project and the point of interconnection with the transmission system may be overhead; and
  - i. The site's perimeter fencing must incorporate wildlife-friendly fencing standards specific to the site to the greatest extent possible.

***Wind Energy Power Plants Specific Requirements (Sec. 1)***

22. Authorizes the county to issue a permit to a wind energy power plant that is constructed primarily to provide electricity to an off-site consumer or that is allowed by special used authorization in:
  - a. A growth area with rural zoning in outlying rural areas that are between cities and unincorporated communities that are characterized by low growth rates, unimproved roads, low density, large lot rural residential development, agricultural production and large tracts of undeveloped lands; or
  - b. General business, light industrial or high industrial zoning districts.
23. Outlines the following site development standards that apply for permitting, constructing and operating a solar energy power plant:
  - a. Exempts a plant for height limits;
  - b. Requires setbacks from all property boundaries and road travel ways for this plant to be equal to the tallest structure with the blades fully extended plus 10 feet;
  - c. Requires a minimum setback of 1,000 feet to any existing residence, school, nursing home or hospital for wind turbines and any associated structures;
  - d. Specifies that the distance between structures must be equal to the fully extended height of the structure plus 10 feet for freestanding wind turbines;
  - e. Prohibits noise generated from a wind energy power plant system from exceeding 50 decibels except during short-term events;
  - f. Forbids light fixtures or illumination on the wind energy power plant except as required by the Federal Aviation Administration or applicable federal, state or local law;
  - g. Requires the application include a copy of the Federal Aviation Administration's determination to establish required markings and lights for the structure;
  - h. Prohibits signs from being attached to the wind energy power plant except for manufacturer's logos, emergency notification information or appropriate warning signage;

- i. Requires all transmission lines from the tower to any building or other structure associated with the structure to be underground to the maximum extent practicable;
  - j. Requires all turbines and towers included in the application to be painted in a neutral color with matte or nonreflective finishes; and
  - k. Stipulates that a wind energy power plant system and transmission poles may only be constructed with a tubular tower or monopole structure.
24. Requires a wind energy power plant to be maintained in operational condition at all times except for reasonable maintenance and repair outages.
25. Authorizes a county to require additional measures to mitigate any site-specific conditions to lessen negative impacts uncovered by any supplemental reports included in the application.
26. Mandates that the wind energy power plant system be equipped with a redundant braking system that includes aerodynamic overspeed controls and mechanical brakes that must be operated in a fail-safe mode.
27. Requires the following warning signs to be posted, all of which must contain emergency contact information:
- a. At least one warning sign posted at the tower's base warning of electrical shock or high voltage; and
  - b. A sign on the entry area of any fencing surrounding each tower or group of towers and any building or (if there is no fence) on the tower or building.
28. Prohibits climbing pegs and tower ladders from being within 12 feet of ground level at the base of the structure for freestanding single pole or guyed towers.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: NREW DP 8-0-2-0

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**HB2619: watercraft; boating; regulations**  
**Sponsor: Representative Griffin, LD 19**  
**Caucus & COW**

**Overview**

Requires that all motorized watercrafts be equipped with a functioning sound-producing device that can be heard for one-half nautical mile and that a person operating a power-driven watercraft use an engine cutoff switch link at or above displacement speed, subject to certain exceptions.

**History**

The Arizona Game and Fish Commission is responsible for creating rules and regulations pertaining to boating and water sports, conforming equipment requirements with federal navigation laws and administering a state law enforcement and boating safety program. The commission's regulations may not conflict with those prescribed by the U.S. Coast Guard ([A.R.S. § 5-311](#)). These regulations are enforced by state, county and city peace officers ([A.R.S. § 5-391](#)).

The [Frank Lobiondo Coast Guard Authorization Act of 2018](#) required manufacturers of recreational watercraft to begin installing an engine cut-off switch with a link that shuts off the watercraft's engine if the operator is displaced from the helm. Consequently, the act requires that an individual operating a watercraft use the link while operating at or above displacement speed, which is the speed at which the wave produced by a vessel's bow is equal to the length of the line where the hull of the ship meets the water. This rule does not apply if the main helm of the watercraft is within an enclosed cabin or the vessel does not have an engine cut-off switch ([46 U.S.C. § 4312](#)). This use requirement became effective on April 1, 2021.

Sound-signaling devices are used on watercraft during periods of reduced visibility to signal intentions or position on the water. They may be fitted on the watercraft and can be useful when meeting head-on, at a crossing or in an overtaking. Further, sound-signaling devices are important in emergency situations. Watercraft over 12 meters in length that are operated on the inland waters of the United States are federally required to be provided with a whistle, bell or gong depending on their size. Smaller watercraft are not required to carry a specific sound-signaling device, but should have the means to create an efficient sound signal ([33 C.F.R. § 83.33](#)). Audibility requirements are also dependent on watercraft size. All watercraft less than 20 meters in length must have a sound signaling device with an audible range of at least one-half nautical mile ([33 C.F.R. § 86.01](#)).

**Provisions**

1. Requires all power-driven watercraft to be equipped with a functioning sound-producing device capable of producing sound audible for one-half nautical mile. (Sec. 1)
2. Requires a person operating a power-driven watercraft to use an engine cutoff switch link while operating the watercraft at or above displacement speed, unless:
  - a. the watercraft has a main helm installed within an enclosed cabin;
  - b. the watercraft does not have an engine cutoff switch and is not required to have one;
  - c. the watercraft is being operated off federal navigable waterways; or
  - d. the watercraft is a commercial motorized watercraft. (Sec.1)
3. Defines *power-driven watercraft*. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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4. Removes the requirement that a person who operates a personal watercraft equipped with a lanyard type engine cutoff switch attach the lanyard to the person's body, clothing or personal flotation device. (Sec. 2)
5. Authorizes peace officers in towns to enforce boating and watercraft laws and regulations. (Sec. 3)
6. Makes technical and conforming changes. (Sec. 2 and 3)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: NREW DPA/SE 10-0-0-0

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**HB 2669: solid waste; sludge; water quality  
S/E: prohibition; biosolids; land application  
Sponsor: Representative Dunn, LD 25  
Caucus & COW**

**Summary of the Strike-Everything Amendment for HB 2669**

**Overview**

Prohibits applying biosolids within 3 miles of an area with over 128 people per square mile and within one mile of a residential area or crops for human consumption. Require any application of a substance containing biosolids, sewage or septage to comply with Arizona Department of Environmental Quality (ADEQ) rules regulating biosolid disposal. Additionally requires biosolids combined with solid waste to be regulated as solid waste.

**History**

***Regulating Biosolid Disposal***

The Clean Water Act regulates discharges of pollutants into waters of the United States. Section 402 of the act establishes a program to require permits for sewer and storm water discharges from developments, construction sites and other built areas into these waters ([33 U.S.C. § 1342](#)). ADEQ administers this program at the state-level, which is called the Arizona Pollutant Discharge Elimination System Program ([A.R.S. § 49-255.01](#)). Additionally, Section 405 of the act requires a permit from this program for any disposal of sewage sludge that may result in a pollutant from this sludge entering a water of the United States ([33 U.S.C. § 1345](#)). ADEQ has adopted rules to operate a state program to regulate the disposal of biosolids, which is sewage sludge that is placed on land as a soil amendment, conditioner or fertilizer ([A.R.S. § 49-255.03](#) and [R18-9-1001](#)). Within this program, *exceptional quality biosolids* are those that have been treated to meet certain pollutant concentrations, reduce the amount of pathogens carried and reduce the attractiveness for certain organisms (such as flies) that may transport these pathogens ([R18-9-1001](#)).

***Regulating Solid Wastes***

Solid waste is regulated under the Resource Conservation and Recovery Act, which establishes criteria for municipal solid waste landfills and other solid waste disposal facilities. It also prohibits open dumping of solid wastes (42 U.S.C. §§ [6943](#) and [6944](#)). Under this act, *solid waste* is any garbage or refuse, sludge from wastewater treatment plants, water supply treatment plant or air control facility and other material discarded from industrial, commercial, mining and agricultural operations as well as community activities ([42 U.S.C. § 6903](#)). ADEQ has adopted rules to regulate the storage, processing, treatment and disposal of solid wastes ([A.R.S. § 49-761](#)).

**Provisions**

1. Prohibits (notwithstanding any other law or rule) someone from registering to apply on lands or undertaking a land application with any substance containing biosolids, sewer sludge or septage:
  - a. Within three miles of any area with a population density greater than or equal to 128 persons per square mile or
  - b. Within one mile of a crop produced for human consumption or any property zoned residential. (Sec. 1)
2. Exempts land applications for exceptional quality biosolids from this prohibition. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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3. Instructs ADEQ (notwithstanding any other law or rule) to require any application of a substance that contains biosolids, sewage or septage to comply with ADEQ rules regulating biosolid disposal including pathogen reduction requirements. (Sec. 1)
4. Requires (notwithstanding any other law or rule) a biosolid combined with solid waste to be regulated as solid waste. (Sec. 1)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: NREW DP 10-0-0-0 | APPROP DP 15-0-0-0

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**HB2763: appropriation; Mohave wash recharge basin**  
**Sponsor: Representative Gillette, LD 30**  
**Caucus & COW**

**Overview**

Appropriates \$4,371,100 from the state General Fund (GF) to the Department of Transportation in FY 2024 to distribute to Mohave County to design and construct the Mohave Wash Recharge Basin.

**History**

***Mohave County Recharge Projects***

The Mohave County Flood Control District has planned eight aquifer recharge projects within the Hualapai Irrigation Non-Expansion Area. One of these projects is a recharge basin at the confluence of Mohave Wash and Rattlesnake Wash, which is north of Kingman. This basin would intercept stormwater for infiltration into the underlying aquifer. Based on historical data, it would intercept at minimum 160 acre-feet per year from Mohave Wash and another 25 acre-feet per year from Rattlesnake Wash.

***Water Supply Development Revolving Fund***

The Water Supply Development Revolving Fund is administered by the Water Infrastructure Finance Authority (WIFA) and helps areas of Arizona that lack access to a sufficient long-term water supply to construct the projects necessary to obtain additional water supplies. To accomplish this task, the fund may provide loans of up to \$3,000,000 and grants of up to \$2,000,000 to eligible entities for water supply development projects, subject to certain limitations prescribed by WIFA ([A.R.S. § 49-1273](#)). These projects include planning, building or developing facilities for replenishing groundwater, actively or passively recharging stormwater and reclaiming and reusing water ([A.R.S. § 49-1201](#)). Entities eligible to receive fund monies include:

- 1) A water provider that distributes or sells water outside of active management areas located in Maricopa, Pima and Pinal Counties; and
- 2) Any municipality, county, district, commission, authority or other public entity organized under Arizona law or a voter-approved charter or initiative that is outside of active management areas located in Maricopa, Pima and Pinal Counties ([A.R.S. § 49-1270](#)).

**Provisions**

1. Appropriates \$4,371,100 from the state GF to the Department of Transportation in FY 2024 to distribute to Mohave County for the design and construction of the Mohave Wash Recharge Basin. (Sec. 1)
2. States that the Legislature intends for Mohave County to contribute \$495,676 to the project. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: NREW DPA/SE 6-3-0-1

**HCM2003: technical correction; urging the president  
S/E: critical minerals; copper; urging inclusion  
Sponsor: Representative Griffin, LD 19  
Caucus & COW**

## **Summary of the Strike-Everything Amendment to HCM 2003**

### **Overview**

Requests that the U.S. Geological Survey (USGS) add copper to its list of critical minerals and that the U.S. Department of the Interior and the U.S. Congress support this request.

### **History**

#### ***Copper in Arizona***

Copper is Arizona's most abundant and valuable metallic mineral product, found in two major deposit types in the state. Porphyry Copper is found in southern and central Arizona, while Volcanogenic Massive Sulfide Copper is found in the United Verde Mine in Jerome. Smaller copper sources in the state include breccia pipe copper from northern Arizona.

Native peoples have been mining copper in Arizona for centuries. The copper rush of the 1880s contributed to a major population boom, leading copper mining to become a major economic driver in the state until the 1950s. Today, copper continues to be an important part of Arizona's economy. According to the Arizona Geological Survey, Arizona was responsible for 68% of all domestic copper production in 2017.

#### ***List of Critical Minerals***

A 2017 executive order required the Secretary of the Interior to draft the first list of non-fuel mineral commodities deemed critical to the economic and national security of the U.S. and that have supply chains vulnerable to disruption. The minerals must be used to create products that are important to the nation's economic and national security. The list was intended to be used by the federal government to reduce the nation's vulnerability to supply disruptions for the listed commodities ([Executive Order 13817](#)). The first critical mineral list, which consisted of 35 minerals, was published in 2018. The Energy Act of 2020 required the critical minerals list methodology to be reviewed and revised and the minerals updated accordingly at least every three years ([Public Law 116-260](#)).

In 2022, the U.S. Geological Survey Director presented an updated critical minerals list that included a total of 50 minerals. The methodology used to develop the list included evaluations of supply risk, supply chain points of failure, foreign supply dependence, foreign production concentration and foreign willingness to continue to supply the United States. Copper was not included in this list ([87 Federal Register 10381](#)).

### **Provisions**

1. Request that the USGS add copper to the list of critical minerals and that the U.S. Department of Interior and U.S. Congress support the USGS in adding copper to this list.
2. Directs the Arizona Secretary of State to transmit a copy of the memorial to the President of the United States, President of the U.S. Senate, Speaker of the U.S. House of Representatives, Secretary of the Department of Interior, USGS Director and each member of Congress from Arizona.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: NREW DP 6-3-0-1

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**HCM2008: air quality; ozone standards; opposing**  
**Sponsor: Representative Carbone, LD 25**  
**Caucus & COW**

## **Overview**

Requests that the Biden Administration and the U.S. Congress stop the Environmental Protection Agency (EPA) from imposing penalties on Arizona to comply with an ozone standard that is impossible to attain through any of the control measures being considered.

## **History**

The Clean Air Act (CAA) requires the EPA to set National Ambient Air Quality Standards (NAAQS) for pollutants that are common in outdoor air, harmful to health and the environment and come from diverse sources ([42 U.S.C. § 7409](#)). Ozone is one of these pollutants. Each state must establish a state implementation plan (SIP) with measures to maintain NAAQS, which must be approved by the EPA ([42 U.S.C. § 7410](#)). Additionally, states with nonattainment areas for particular NAAQS must develop plans for these areas to reach an acceptable standard ([42 U.S.C. § 7502](#)). Nonattainment status also impacts permitting requirements for emissions sources, limitations on certain federal assistance to activities that do not adequately conform to the SIP, new motor vehicle emissions standards and the establishment of interstate transport commissions ([42 U.S.C. § 7503 et seq.](#)). If the EPA Administrator determines that a SIP or any part of a SIP is not being properly implemented, sanctions may be imposed on the offending area, including prohibitions on the approval of transportation projects and transportation grants ([42 U.S.C. § 7509](#)).

Parts of Maricopa, Gila and Pinal Counties were designated as marginal nonattainment areas under the ozone NAAQS in 2016 ([81 Federal Register 26697](#)). However, after the EPA lowered the ozone NAAQS from 75 parts per billion to 70 parts per billion ([80 Federal Register 65291](#)), this area was reclassified as moderate nonattainment in 2018. Part of Yuma County was classified as marginal non-attainment for the ozone NAAQS in that year ([83 Federal Register 25786](#)).

## **Provisions**

1. Urges the Biden Administration and the U.S. Congress to stop the EPA from imposing penalties on Arizona to comply with an ozone standard that is impossible to attain through any of the control measures being considered.
2. Directs the Arizona Secretary of State to transmit the memorial to the U.S. President, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives and each member of Congress from Arizona.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: RA DPA 4-3-0-0

## **HB 2525: barbering; cosmetology; salons; unlicensed employees**

**Sponsor: Representative Hendrix, LD 14**

**Caucus & COW**

### **Overview**

Establishes a new program and registry administered by the Arizona Board of Barbering and Cosmetology (Board) to allow licensed, participating shops and salons to employ unlicensed individuals.

### **History**

Laws 2021, Chapter 334 consolidated the barbering and cosmetology boards into the *Arizona Board of Barbering and Cosmetology*, effective January 1, 2022. The new nine-member Board is appointed by the Governor to three-year terms and include: 1) a barber; 2) a cosmetologist; 3) two school owners; and 4) five public members. Board powers and duties include adopting pertinent rules for sanitary and safety requirements, administering and enforcing statutes and rules, issuing and maintaining proper licensee records and prescribing school curriculum requirements among others ([A.R.S. §§ 32-304, 32-504](#)).

### **Provisions**

#### ***Shop and Salon Inspection Program (Inspection Program) and Shop and Salon Registry (Registry) (Sec. 2)***

1. Directs the Board to establish an Inspection Program and Registry to allow participating, licensed shops or salons to employ unlicensed individuals.
2. Permits licensed shops and salons to participate in the Inspection Program by registering with the Board.
3. Authorizes appropriately licensed shops or salons that are registered Inspection Program participants to hire unlicensed persons to provide barbering, aesthetics, cosmetology, hairstyling or nail technology.
4. Outlines sign requirements for registered Inspection Program participants.
5. Requires any registered Inspection Program shop or salon to abide by all facility, equipment, safety, infection control, inspection, management and licensing renewal mandates and all other statutory requirements.
6. Stipulates that the owner of any registered and participating Inspection Program shop or salon is responsible for:
  - a. ensuring the education, training and competence of persons working in the salon or shop;
  - b. protecting the health and safety of all customers and workers, including the sanitation of the shop and equipment.
7. Permits a person to recover reasonable attorney fees and other equitable relief, as determined by the court, for an alleged injury resulting from an action that occurred in a shop or salon.
8. Directs the Board to conduct regular inspections of participating Inspection Program shops or salons, as it deems necessary.
9. Empowers the Board to order an Inspection Program shop or salon to cease operations if there is probable cause to believe that human health is endangered and outlines the process and procedures for remedy.

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

### ***Miscellaneous***

10. States that a person employed with an Inspection Program shop or salon is not required to be licensed. (Sec. 1, 3)
11. Permits a person with a least 200 hours of infection protection and law review instruction to obtain an aesthetician's license if the person submits the application and meets all other statutory requirements. (Sec. 4)
12. Changes the requirements to receive a cosmetologist license as follows:
  - a. decreases, from 1,500 to 1,000, the required training course hours; and
  - b. decreases, from 250 to 200, the infection protection and law review instruction hours. (Sec. 5)
13. Revises the requirements to obtain a nail technician license as follow:
  - a. decreases, from 600 to 400, the number of required training hours.
  - b. permits a person with at least 150 hours of infection protection and law review instruction to obtain a license if the person submits the application and meets all other statutory requirements. (Sec. 6)
14. Modifies the requirements to obtain a hairstyling license as follows:
  - a. decreases, from 1,000 to 600, the number of required training hours; and
  - b. permits a person with at least 200 hours of infection protection and law review instruction to obtain a license if the person submits the application and meets all other statutory requirements. (Sec. 7)
15. Specifies that the *infection protection and law review instruction* may be completed through an approved federal Department of Labor program or an Arizona Department of Economic Security approved apprenticeship program. (Sec. 4, 6, 7)
16. Makes technical and conforming changes. (Sec. 1, 3, 4, 5, 6, 7)

### **Amendments**

#### ***Committee on Regulatory Affairs***

1. Reinstates current law regarding the necessary educational hours for cosmetologists, nail technicians and hair stylists.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: RA DP 7-0-0-0

## **HB 2550: eyelash technicians; registration..**

**Sponsor: Representative Wilmeth, LD 2**

**Caucus & COW**

### **Overview**

Allows the Board of Barbering and Cosmetology (Board) to create and implement registration requirements for eyelash technicians.

### **History**

The Board: 1) administers licensing examinations and issues licenses; 2) inspects salons, barber establishments and schools; and 3) investigates violations of sanitation requirements and procedures. The Board may also conduct hearings and impose enforcement actions where appropriate.

Current Statute allows *aestheticians*, individuals licensed to practice skin care and *cosmetologists*, individuals licensed to practice cosmetology, to engage in the practice of arching eyebrows or tinting eyebrows and eyelashes. *Cosmetology* also includes: 1) applying oils, creams and other products by hand or with electrical appliances; 2) removing superfluous hair without electrolysis or threading; 3) nail technology; and 4) hairstyling ([A.R.S. § 32-501](#)).

Licensing requirements for aestheticians include: 1) submitting an application to the Board; 2) receiving appropriate credits for at least two years of high school education or a Board education equivalent and evidence the individual is 16 years of age, or evidence that the individual is 18 years of age; 3) providing evidence to the Board that the individual graduated from an aestheticians school outside of the state having similar requirements to that of the state or graduating from a Board-approved aesthetician school with 600 hours of training; 4) passing the aesthetician licensing examination; and 5) paying the licensure fees ([A.R.S. § 32-510](#)).

### **Provisions**

1. Authorizes the Board to create registration requirements for eyelash technicians including:
  - a. submitting an application to the Board;
  - b. completing credits equivalent to two years of a high school education or a Board equivalent and evidence that the applicant is 16 years old; or
  - c. providing evidence that the individual is 18 years old; and
  - d. providing to the Board proof that the applicant has completed at least 30 hours of training through an approved program and pays the appropriate fees for registration. (Sec. 6)
2. Requires registration be renewed biannually on or before the individual's birthday during the renewal year and that the Board maintain a registry of registered nail technicians. (Sec. 6)
3. Allows the Board to set the fees for registration and registration renewal. (Sec. 4)
4. Incorporates registrations into the Board's disciplinary oversight. (Sec. 7, 8, 9)
5. Stipulates that unregistered practice as an eyelash technician constitutes a Class 1 misdemeanor. (Sec. 10)
6. Asserts that an eyelash technician is not considered an aesthetician and defines pertinent terms including:

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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- a. *eyelash technician* as a person who is not licensed as a cosmetologist or aesthetician and who for compensation performs personal services limited to eyelash extensions; and
  - b. *eyelash extensions* as applying, removing and trimming threadlike natural or synthetic fibers to an eyelash, including cleansing the area of the eyes and lashes, not including applying eyelash enhancements that are tattoos, color agents, straightening agents, permanent wave solutions or bleaching agents to the eyebrow or any other cosmetology service. (Sec. 1)
7. Makes technical and conforming changes. (Sec. 1, 2, 3, 4, 5, 7, 8, 9, 10)





# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: RA DP 6-0-0-1 | HHS DP 7-2-0-0

## **HB 2558: dietitian nutritionists; licensure.**

**Sponsor: Representative Hernandez A, LD 20**  
**Caucus & COW**

### **Overview**

Allows the Director of the Department of Health Services (DHS Director) to create licensing for Licensed Dietitian Nutritionists (LDN) and implement an Advisory Committee to assist the DHS Director in administrative functions and duties related to LDN licensing.

### **History**

[The Department of Health Services](#) (DHS) is responsible for providing a majority of public health programs in the state addressing such topics as: 1) disease prevention and control; 2) health promotion; 3) community public health; 4) environmental health; 5) maternal and child health; 6) emergency preparedness; and 7) regulation of healthcare-related institutions.

[The Academy of Nutrition and Dietetics](#) (Academy) defines Registered Dietitian Nutritionists (RDN) as practicing food and nutrition experts with education in an accredited dietetics program who have completed supervised practice and the national exam. [The Commission on Dietetic Registration \(Commission\)](#) is a credentialing agency for the Academy and is responsible for providing and enforcing credentialing standards, requirements and the national exam for registered dietitians and RDNs.

Current statute allows hospitals to grant registered dietitians or nutritional professionals ordering abilities for diets, enteral feeding, nutritional supplementation or parenteral nutrition if authorized by a member of medical staff ([A.R.S. § 36-416](#)).

### **Provisions**

#### ***Prescription Orders***

1. Allows an LDN in either a hospital, if authorized or granted standing ordering privileges by medical staff, or a nonhospital health care institution to make a prescription order consisting of:
  - a. diets or a change in diet orders;
  - b. enteral feeding;
  - c. durable medical equipment related to nutrition;
  - d. nutritional supplementation;
  - e. parenteral nutrition;
  - f. medical nutrition therapy; and
  - g. laboratory tests to check and track nutrition status. (Sec. 3, 4)
2. Directs hospitals or nonhospital health care institutions to have written policies and procedures that:
  - a. allow LDN's to issue orders or perform medical nutrition therapy; and
  - b. prescribe necessary qualifications for qualified nutrition professionals to issue orders and any restrictions on their ability to issue orders. (Sec. 3, 4)
3. Requires nonhospital health care institutions to respond to adverse events that ensue from orders issued by an LDN or unlicensed dietitian nutritionist. (Sec. 3)

#### ***Licensing and the Advisory Committee***

4. Authorizes the DHS Director to license all applicants qualifying for the practice of dietetics and nutrition, authorize all disbursements, adopt qualifications and standards and scope of practice consistent with the Academy. (Sec. 5)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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5. Grants the DHS Director the authority to appoint an Advisory Committee to offer recommendations and aid in the completion of duties including:
  - a. addressing disciplinary actions;
  - b. issuing and renewing licenses;
  - c. denying, suspending, revoking or refusing to renew a license;
  - d. developing and publishing rules; and
  - e. requiring licensees to produce records of patients involved in complaints on file with DHS. (Sec. 5)
6. Includes the DHS Director, a licensed physician, three LDNs and one public member be appointed to the committee and outlines committee member qualifications. (Sec. 5)
7. Lists the licensure requirements for an LDN as:
  - a. submitting a nonrefundable application fee;
  - b. holding either a current registration as a registered dietitian or registered dietitian nutritionist;
  - c. having a baccalaureate degree, master's degree or doctoral degree from a qualified university with a major in a nutrition and dietetics-related field;
  - d. completing an accredited and approved planned clinical program consisting of at least 1,000 hours of supervised experience;
  - e. passing the examination for registered dietitians from the Commission or another equally accredited exam approved by the DHS Director; and
  - f. having good moral character and not having a license suspended or revoked in the past two years in any state. (Sec. 5)
8. Allows the DHS Director to waive educational requirements for applicants who have taken equivalent coursework in another country. (Sec. 5)
9. Allows the Advisory Committee to recommend to the DHS Director a waiver of the educational requirements if an applicant submits satisfactory proof that they received the required professional education. (Sec. 5)

#### ***Assessment of Fees and Management of Monies***

10. Permits the DHS Director to prescribe and collect fees for the following:
  - a. an application for a license;
  - b. the issuance of a license or duplicate license;
  - c. the renewal of a license; and
  - d. late fees. (Sec. 5)
11. Stipulates that all monies collected regarding licensure and duties of the Advisory Committee have 10% be put into the state General Fund including civil penalties and the remaining 90% into the Health Services Licensing Fund. (Sec. 5)

#### ***Issuance and Maintenance of License***

12. Makes licenses valid for two years and requires renewal upon the expiration of the license. (Sec. 5)
13. Requires licensees to meet the qualifications and continuing education requirements set by the DHS Director. (Sec. 5)
14. Mandates a licensee to notify the DHS Director of their place of practice and whether they change the address of that location and the DHS Director must maintain a record of these locations to provide notice. (Sec. 5)
15. Ensures that individuals have appropriate licensing when practicing and using proper titles in the field of dietetics and nutrition and asserts that any violation of this would be considered consumer fraud. (Sec. 5)

#### ***Active-Duty Military Licensure Extension***

16. Specifies that licenses for military or national guard members do not expire while on active duty and are extended 180 days after return or release from service. (Sec. 5)
17. Outlines processes for extensions and renewal of licenses for military members. (Sec. 5)

### ***Licensure Violations and Legal Actions***

18. Specifies what constitutes a denial, revocation or suspension of a license as:
  - a. being convicted of a felony or misdemeanor involving moral turpitude;
  - b. securing a license through fraud or deceit;
  - c. engaging in unprofessional conduct or incompetence; and
  - d. using a false name in practice. (Sec. 5)
19. Allows DHS to deny a license without a hearing unless the denied applicant requests one. (Sec. 5)
20. Grants the DHS Director the authority to revoke or suspend a license either permanently or temporarily and requires a hearing before the official action. (Sec. 5)
21. Authorizes the DHS Director to file a letter of concern, issue a decree of censure, prescribe a period of probation, restrict or limit the practice of a licensee in place of denying, revoking or suspending a license. (Sec. 5)
22. Requires the DHS Director to notify a licensee's employer if disciplinary action has been initiated against that licensee. (Sec. 5)
23. Permits the DHS Director to enforce these provisions through injunction and prevents a prior or current proceeding from barring an enforcement proceeding. (Sec. 5)
24. Establishes that any violation of these provisions constitutes a class 3 misdemeanor. (Sec. 5)
25. Provides the DHS Director the ability to impose a civil penalty not exceeding \$500 for violations of these provisions in addition to any other penalties. (Sec. 5)
26. Enables the Attorney General or the County Attorney to bring an action in the appropriate Superior Court to enforce the imposed civil penalties. (Sec. 5)

### ***Miscellaneous***

27. Exempts the DHS from rulemaking requirements for one year following the effective date. (Sec. 6)
28. Contains a legislative intent clause. (Sec. 7)
29. Modifies terms. (Sec. 1)
30. Defines terms. (Sec. 3, 4, 5)
31. Makes conforming changes. (Sec. 2, 3)



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: RA DP 4-3-0-0

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**HB 2622: cost sharing; health coverage; report**  
**Sponsor: Representative Hendrix, LD 14**  
**Caucus & COW**

## **Overview**

Includes in the report to the Joint Legislative Audit Committee (JLAC), any restrictions on the form or amount of cost sharing related to a health plan benefit issued by an insurer, hospital, medical, dental, optometric or other health care services organization.

## **History**

Statute currently requires the submission of a report to JLAC when an individual or organization advocates for any legislative proposal to mandate certain health coverage by an insurer, hospital, medical, dental, optometric or health care service corporation, organization, or any component of individual or group policies (Insurer). The person or legislator must submit the written report that explains the statutory factors ([A.R.S. 20-182](#)), including the social and financial impact and the effectiveness of the treatment or service. Currently, the person or legislator must submit the report by September 1 prior to the legislative session for which the legislation is proposed.

JLAC then assigns the written report to the pertinent legislative committee of reference (COR). The COR will hold at least one public hearing, take public testimony and make final recommendations, which are included in the final report to JLAC, the governor, leadership of the State Senate and House of Representatives, and the director of the Department of Insurance and Financial Institutions by December 1 of the year of the report.

## **Provisions**

1. Requires the written report to JLAC to also include any restrictions on the form or amount of the cost sharing applied to a health plan benefit issued by an Insurer. (Sec. 1)
2. Stipulates that the report must assess the social and financial impacts of the coverage or cost sharing restrictions. (Sec. 1)
3. Modifies the report factors to include the cost sharing restrictions for both the social and financial impacts. (Sec. 2)
4. Adds factors to the financial impact that must be included in the report as follows:
  - a. the impact on other policyholders that do not use the treatment or service subject to the mandated coverage or cost sharing restriction; and
  - b. an analysis of whether the state will be required to defray the costs that a treatment or service may add to the federal marketplace subsidies. (Sec. 2)
5. Makes technical and conforming changes. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: RA DP 6-0-0-1

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## **HB 2625: residential care institutions; inspections**

**Sponsor: Representative Carter, LD 15**

**Caucus & COW**

### **Overview**

Adds a *residential care institution* to the list of entities from which the Director of the Department of Health Services (DHS) cannot accept an accreditation report instead of a compliance inspection.

### **History**

Current law defines *Residential Care Institution* as a health care institution that provides resident beds and supervisory or personal care services, behavioral health, directed care or health-related services for persons not needing continuous nursing services. *Residential Care Institution* does not include a hospital or a nursing care institution ([A.R.S. § 36-424](#)).

The Director of DHS must inspect the premises of each health care institution and investigate the applicant's character and qualifications to ensure compliance with DHS statutes and administrative rules. The Director may in certain circumstances accept an accreditation report in lieu of a compliance inspection upon receiving a report for the licensure period and the health care institution accreditation by an independent, nonprofit organization approved by the secretary of the U.S. Department of Health and Human Services ([A.R.S. § 36-424](#)).

Statute prohibits the Director from accepting an accreditation report instead of a compliance inspection from an intermediate care facility for people with intellectual disabilities; or a health care institution that was under enforcement action in the preceding year ([A.R.S. § 36-424](#)).

### **Provisions**

1. Stipulates that the Director of DHS cannot accept an accreditation report instead of a compliance inspection for a *residential care institution*. (Sec. 1)
2. Clarifies *institution* as a health care institution. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: RA DP 5-2-0-0

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**HB 2730: writ of execution; judgments; renewal**  
**Sponsor: Representative Hendrix, LD 14**  
**Caucus & COW**

**Overview**

Extends the eligibility period for issuance of a writ of execution after a judgment is entered or renewed.

**History**

A judgment in favor of a party may have a writ of execution or other process issued for its enforcement at any time within 10 years after the judgment is entered or within 10 years after a renewal of the judgment. After 10 years lapses, an execution or other process cannot be issued on a judgment unless the judgment is renewed by affidavit of process or an action is brought as outlined. Statute prohibits the court from issuing a writ of execution after the death of the judgment debtor unless for the recovery of real or personal property or enforcing a lien. The statutes list specific effective dates for judgments that were entered into.

**Provisions**

1. Specifies effective dates for judgments that were entered on or after July 1, 2012. (Sec. 1)
2. Stipulates effective dates for judgments that were entered on or before June 30, 2012 and renewed on or before June 30, 2017. (Sec. 1)
3. States that a writ of execution or other process may not be issued for a judgment entered on or before June 30, 2012, that was not renewed on or before June 30, 2017. (Sec. 1)
4. Specifies that a judgment may be renewed by action at any time within 10 years after the judgment date, but an action may not be entered on or before June 30, 2012, that was not renewed on or before June 30, 2017. (Sec. 2)
5. Stipulates that an affidavit for renewal may not be filed to renew a judgment entered on or before June 30, 2012 unless the judgment was renewed on or before June 30, 2017. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: TI DPA 9-1-0-1

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**HB2526: railroads; annual safety inspections**  
**Sponsor: Representative Hernandez C, LD 21**  
**Caucus & COW**

## **Overview**

Appropriates \$196,000 and two full-time equivalent (FTE) positions from the state General Fund (GF) in FY 2024 to the Arizona Corporation Commission (ACC) for railroad safety inspectors.

## **History**

Statute requires ACC to prescribe standards of safety and safety devices to protect the health and safety of employees of railroads requiring: 1) installation and maintenance by railroads of electric marker warning lights on the rear of all trains with sufficient candle power to be visible at a distance of 3,000 feet under ordinary atmospheric conditions; and 2) installation and maintenance by railroads of adequate electrical lighting within cabooses for clerical work ([A.R.S. § 40-841](#)).

Statute requires all persons engaged in the operation of railroads to comply with any regulation or order of the ACC issued for railroad safety and to furnish any information required by the ACC. The ACC or its authorized agent may enter any place of operation engaged in the operation of railroads to determine if standards relating to railroad safety are being complied with ([A.R.S. § 40-844](#)).

## **Provisions**

1. Appropriates \$196,000 and two FTE positions in FY 2024 from the state GF to ACC for railroad safety inspectors. (Sec. 2)
2. Requires ACC to conduct annual safety inspections of all railroads and railroad tracks in this state. (Sec. 1)

## **Amendments**

*Committee on Transportation & Infrastructure*

1. Removes the appropriation of \$196,000 and the two FTE positions in FY 2024.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: TI DP 10-0-1-1

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**[HB2531](#): railroads; train length; prohibition**  
**Sponsor: Representative Hernandez C, LD 21**  
**Caucus & COW**

**Overview**

Stipulates that a railroad is not allowed to run a train that exceeds 8,500 feet on a main track or branch line.

**History**

Currently, the Arizona Corporation Commission (ACC) prescribes standards of safety requiring: 1) installation and maintenance by railroads of electric marker warning lights on the rear of all trains to be visible at a distance of three thousand feet under ordinary atmospheric conditions; and 2) installation and maintenance by railroads of adequate electrical lighting within cabooses for clerical work ([A.R.S. § 40-841](#)).

All persons engaged in the operation of railroads are required to comply with any regulation or order of the ACC. The ACC or its authorized agent may, during reasonable hours, enter the place of operation of a railroad to assess whether set safety standards are being complied with ([A.R.S. § 40-844](#)).

**Provisions**

1. Prohibits a railroad in this state may from running or allowing to be run a train that exceeds 8,500 feet in length on a main track or branch line. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: TI DPA 9-1-0-1 | APPROP DPA 12-2-0-1

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**HB2543: appropriations; greater Arizona transportation projects**  
**Sponsor: Representative Dunn, LD 25**  
**Caucus & COW**

## **Overview**

Appropriates approximately \$300,000,000 from the state General Fund (GF) in Fiscal Year (FY) 2024 to the Arizona Department of Transportation (ADOT) for distribution to various state entities for specified highway and road projects.

## **History**

[Laws 1973, Chapter 146](#) established ADOT to provide for an integrated and balanced state transportation system with a director responsible for the department's administration ([A.R.S. § 28-331](#)). ADOT has exclusive control and jurisdiction over state highways, state routes, state-owned airports and all state-owned transportation systems or modes are vested in ADOT.

The duties of ADOT are as follows: 1) register motor vehicles and aircraft, license drivers, collect revenues, enforce motor vehicle and aviation statutes and perform related functions; 2) do multimodal state transportation planning, cooperate and coordinate transportation planning with local governments and establish an annually updated priority program of capital improvements for all transportation modes; 3) design and construct transportation facilities in accordance with a priority plan and maintain and operate state highways, state-owned airports and state public transportation systems; 4) investigate new transportation systems and cooperate with and advise local governments concerning the development and operation of public transit systems; and 5) have administrative jurisdiction of transportation safety programs and implement them in accordance with applicable law ([A.R.S. § 28-332](#)).

## **Provisions**

### ***Road and Highway Projects for Cities and Towns***

1. Appropriates the following amounts from the GF in FY 2024 to ADOT for distribution to specified cities and towns for road and highway projects designated as regional priorities by the greater Arizona councils of government and metropolitan planning organizations:
  - a. To Kingman:
    - i. \$2,634,640 for Airway Avenue improvements;
    - ii. \$8,045,021 for Eastern Street improvements and pavement rehabilitation;
  - b. \$1,560,000 to Bullhead City for Hancock Road pavement resurfacing between Colorado Boulevard and State Route 95;
  - c. \$1,200,000 to Colorado City for the reconstruction of Mohave Avenue and Redwood Street from State Route 389 to Airport Drive;
  - d. \$5,362,002 to Coolidge for Coolidge Avenue reconstruction between Chistensen Road and Clemans Road;
  - e. \$5,362,002 to Eloy for Sunland Gin Road Interstate 10 overpass and road improvements between Interstate 10 and Arica Road;
  - f. \$10,724,004 to Casa Grande for Maricopa-Casa Grande Highway improvements between Burris Road and Anderson Road;
  - g. \$9,071,649 to Douglas for road development and construction connecting the Douglas international commercial port of entry and State Route 80;
  - h. To Nogales:

- i. \$1,771,419 for Frank Reed Road reconstruction between Ciardulli Place and Grand Avenue;
- ii. \$2,363,105 for Industrial Park Drive reconstruction between Manor Drive and Mariposa Road;
- i. \$1,446,915 to Patagonia for McKeown Avenue reconstruction between Fourth Avenue West and State Route 82;
- j. \$4,526,351 to Thatcher for 8th Street improvements between 1st Avenue and 20th Avenue;
- k. To Huachuca City:
  - i. \$1,565,201 for Skyline Drive reconstruction between State Route 90 and Huachuca City Landfill;
  - ii. \$506,000 for Skyline Pathway development along Skyline Drive between Gila Avenue and Edgewood Street;
- l. \$1,822,000 to Sierra Vista for Theater Drive corridor improvements between 7th Street and Carmichael Avenue;
- m. \$3,600,000 to Show Low to extend East Woolford Road from State Route 260 to Penrod Road;
- n. To Williams:
  - i. \$3,424,720 for Rodeo Road and Route 66 improvements between Airport Road and East Route 66;
  - ii. \$3,032,191 for Airport Road pavement replacement and road extension;
- o. \$6,321,360 to Clarkdale for Verde Valley Bridge rail project design, planning and construction;
- p. \$2,242,161 to Pinetop-Lakeside for Porter Mountain Road improvements in vicinity of Blue Ridge Elementary School;
- q. \$5,016,000 to Sedona for roundabout construction and improvements at intersection of State Route 89A, Forest Road and Ranger Road;
- r. \$407,971 to Eagar for electric vehicle charging station development and construction;
- s. \$170,000 to Taylor for Centennial Boulevard improvement planning from Paper Mill Road to West 7th Street;
- t. \$4,000,000 to Cottonwood for Main Street pavement rehabilitation between Cottonwood north city boundary and State Route 89A;
- u. \$926,200 to Springerville for Tori Circle reconstruction;
- v. To Winslow:
  - i. \$2,881,686 for access road construction between State Route 87 and Winslow commercial and industrial site;
  - ii. \$6,103,373 for Lindbergh Parkway development and construction between State Route 87 and Interstate 40;
- w. \$250,000 to Tusayan for State Route 64 restriping between Grand Canyon National Park South Rim Entrance and Long Jim Loop roundabout;
- x. To Flagstaff:
  - i. \$2,609,290 for Lone Tree Corridor improvements;
  - ii. \$3,000,000 for State Route 180 flood mitigation improvements in the vicinity of Schultz Creek;
- y. \$6,961,938 to Apache Junction for Ironwood Drive improvements between Elliott Road and Baseline Avenue;
- z. \$4,535,540 to Florence for Hunt Highway improvements extending from 1,320 feet east of Attaway Drive to 4,500 feet to the West;
- aa. To City of Maricopa:
  - i. \$3,208,370 for Green Road improvements between State Route 347 and McDavid Road;

- ii. \$3,208,370 for Rancho El Dorado Parkway bridge construction and improvements in the vicinity of Santa Rosa Wash;
- iii. \$3,208,370 for Sonoran Desert Parkway improvements between Porter Road and Fuqua Road;
- bb. \$1,916,691 to Queen Creek for Ironwood Road improvements between Era Mae Boulevard and 1,250 feet south of Ocotillo Road;
- cc. To Lake Havasu City:
  - i. \$1,690,593 for Industrial Boulevard pavement rehabilitation from Lake Havasu Avenue to London Bridge Road;
  - ii. \$2,095,644 for Lake Havasu Avenue pavement rehabilitation from Palo Verde Boulevard to Mesquite Avenue;
  - iii. \$1,992,698 for McCulloch Boulevard pavement rehabilitation from Lake Havasu Avenue to Smoketree Avenue;
  - iv. \$693,418 for South Palo Verde Street pavement rehabilitation from Lake Havasu Avenue to London Bridge Road;
  - v. \$1,768,477 for Mesquite Avenue improvements and pavement rehabilitation from Lake Havasu Avenue to Acoma Boulevard;
  - vi. \$1,585,822 for Swanson Avenue improvements and pavement rehabilitation from State Route 95 to Smoketree Avenue;
- dd. \$7,434,000 to Prescott Valley for Glassford Hill Road improvements between State Route 89A and Long Look Drive;
- ee. To Globe:
  - i. \$3,501,131 for sidewalk construction along Jesse Hayes Road and Six Shooter Canyon Road;
  - ii. \$643,170 for Jesse Hayes Road bridge replacement and improvements at Pinal Creek;
  - iii. \$632,500 for Cottonwood Street bridge replacement and improvements at Pinal Creek;
- ff. \$1,560,940 to Winkelman for Golf Course Road and Quarelli Street improvements;
- gg. \$2,486,653 to Superior for Panther Drive bridge design and construction at Queen Creek;
- hh. To Payson:
  - i. \$1,529,804 for roundabout construction and improvements at intersection of Longhorn Road and McLane Road;
  - ii. \$960,293 for Goodnow Road improvements between State Route 260 and Bonita Street; and
  - iii. \$719,187 for multi-use path design and construction along Forest Drive between State Route 87 and McLane Road. (Sec. 1)

***Road and Highway Projects for Counties***

- 2. Appropriates the following amounts from the GF in FY 2024 to ADOT for distribution to specified counties for road and highway projects designated as regional priorities by the greater Arizona councils of government and metropolitan planning organizations:
  - a. \$5,910,429 to Yuma County for US Route 95 pavement rehabilitation between County 22nd Street and County 11th street;
  - b. \$750,000 to Mohave County to fully pave Bank Street and other improvements between Grace Neal Parkway and Calle Castano Road;
  - c. \$5,597,442 to La Paz County for Vicksburg Road pavement resurfacing between Interstate 10 and State Route 72;
  - d. To Graham County:
    - i. \$487,821 for intersection reconstruction at Norton Road and Reay Lane;

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note
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- ii. \$1,781,466 for Safford Bryce Road improvements in the vicinity of Talley Wash Crossing;
- e. To Santa Cruz County:
  - i. \$799,349 for roundabout construction at intersection of West Frontage Road and Camino Ramanote;
  - ii. \$3,492,681 for Ruby Road bridge replacement and improvements at Potrero Creek;
- f. \$6,100,000 to Cochise County for Moson Road drainage and safety improvements between State Route 90 and Hereford Road;
- g. To Apache County:
  - i. \$448,524 for dirt road enhancement and soil stabilization pilot project;
  - ii. \$2,148,524 for Concho-Snowflake Highway improvements from County Road 5270 to US Route 180A;
  - iii. \$538,661 for State Route 264 turn lane construction into the Ganado Senior Citizens Center and Veterans Building development area;
- h. \$2,215,242 to Yavapai County for Old Route 66 improvements between Interstate 40, Exit 139 and the Mohave County border;
- i. \$5,000,000 to Coconino County Flood Control District for State Route 89 flood mitigation improvements in the vicinity of the Government Tank Flood Corridor;
- j. \$27,474,844 to Pinal County for State Route 24 extension from Ironwood Drive to North-South Freeway Corridor alignment;
- k. \$300,000 to Mohave County for London Bridge Road pavement rehabilitation between mileposts 4 and 8;
- l. To Gila County:
  - i. \$262,161 for Control Road improvements between State Route 260 and 0.35 miles east of Roberts Mesa Road; and
  - ii. \$243,620 for Houston Mesa Road improvements between State Route 260 and 0.4 miles south of NF Route 198. (Sec. 1)

***Road and Highway Projects for Tribal Lands***

- 3. Appropriates the following amounts from the GF in FY 2024 to ADOT for distribution to the specified tribes for road and highway projects designated as regional priorities by the greater Arizona councils of government and metropolitan planning organizations:
  - a. To San Carlos Apache Tribe:
    - i. \$1,414,500 for Peridot Siding Road pavement resurfacing between BIA Route 170 and State Route 70;
    - ii. \$530,459 for BIA Route 170 sidewalk extension and improvements;
    - iii. \$403,236 for the installation of street lights along White Mountain Road and Airport Road;
  - b. To Hopi Tribe:
    - i. \$261,212 for Hotevilla-Bacavi Road reconstruction;
    - ii. \$5,535,513 for Kachina Point Road reconstruction from State Route 264 to State Route 99; and
  - c. \$837,971 to Navajo Nation, Cornfields Chapter for Cornfields Sunrise Low Water Crossing Project for Navajo Route 9205. (Sec. 1)

***Miscellaneous Road and Highway Projects***

4. Appropriates the following amounts from the GF in FY 2024 to ADOT for distribution to the following highway and road projects designated as regional priorities by the greater Arizona councils of government and metropolitan planning organizations:
  - a. \$33,300,000 for US Route 95 for improvements between Wellton Mohawk Canal Road and Aberdeen Road;
  - b. \$10,430,393 for Interstate 40 and Rancho Santa Fe Parkway traffic interchange improvements between Santa Rosa Drive and Louise Avenue;
  - c. \$1,950,000 for shared use pathway development along State Route 92 between Buffalo Soldier Trail and Kachina Trail;
  - d. \$1,286,299 for US Route 160 erosion control improvements in vicinity of Laguna Creek;
  - e. \$571,888 for Lupton, Window Rock, Painted Desert, Alpine Divide and Cerro Montoso Road weather information system upgrades and installation;
  - f. \$3,500,000 for US Route 191 drainage and flood safety improvements between mileposts 389 and 390;
  - g. \$5,000,000 for J.W. Powell Boulevard Interstate 17 overpass bridge replacement and widening;
  - h. \$1,479,966 for State Route 187 and Casa Grande Highway intersection improvements; and
  - i. \$15,668,929 for State Route 89 improvements including roundabout construction between Road 3 North and Road 5 North. (Sec. 1)

#### **Amendments**

##### *Committee on Transportation & Infrastructure and Committee on Appropriations*

1. Adds additional appropriations totaling \$31,070,100 from the GF in FY 2024 to ADOT for distribution to the following highway and road projects:
  - a) \$3,000,000 to the town of Florence for design and engineering costs for the Hunt Highway project;
  - b) \$5,100,000 to Pinal County for design and engineering costs for the Central Arizona Parkway project phase one to Ocotillo Road;
  - c) \$670,200 for State Route 87 design of intersection improvements at Arica Road and Shedd Road;
  - d) \$10,000,000 to the town of Marana for design costs for traffic interchange between Interstate 10 and Cortaro Road;
  - e) \$388,700 for State Route 264 improvements;
  - f) \$350,000 to the Navajo Nation for planning, designing and constructing Cove Chapter infrastructure projects;
  - g) \$266,000 to the Navajo Nation for improvements to the N9205 Pueblo Colorado wash crossing;
  - h) \$6,823,400 to the Navajo Nation for the BIA Route N15 phase one reconstruction project;
  - i) \$3,961,800 to the Navajo Nation for the BIA Route N9054 Steamboat Bridge project;
  - j) \$510,000 to the Canyon Water improvement district to make improvements to infrastructure, including fire hydrants and other related water needs.



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: TI DP 10-0-1-0 | APPROP DP 13-2-0-0

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**HB2569: appropriation; Happy Valley Road**  
**Sponsor: Representative Livingston, LD 28**  
**Caucus & COW**

## **Overview**

Appropriates \$12,500,000 from the state General Fund (GF) in FY 2024 to the Arizona Department of Transportation (ADOT) to distribute to the city of Phoenix for improvements on Happy Valley Road between 35th Avenue and 67th Avenue. Contains a legislative intent clause.

## **History**

[Laws 1973, Chapter 146](#) established ADOT to provide for an integrated and balanced state transportation system with a director responsible for the Department's administration ([A.R.S. § 28-331](#)). ADOT has exclusive control and jurisdiction over state highways, state routes, state-owned airports and all state-owned transportation systems or modes are vested in ADOT.

The duties of ADOT are as follows: 1) register motor vehicles and aircraft, license drivers, collect revenues, enforce motor vehicle and aviation statutes and perform related functions; 2) do multimodal state transportation planning, cooperate and coordinate transportation planning with local governments and establish an annually updated priority program of capital improvements for all transportation modes; 3) design and construct transportation facilities in accordance with a priority plan and maintain and operate state highways, state-owned airports and state public transportation systems; 4) investigate new transportation systems and cooperate with and advise local governments concerning the development and operation of public transit systems; and 5) have administrative jurisdiction of transportation safety programs and implement them following applicable law ([A.R.S. § 28-332](#)).

Cities are allowed to lay out and establish, regulate the use, open, vacate, alter, widen, extend, grade, pave, plant trees or otherwise improve streets, alleys, avenues, sidewalks, parks, public grounds and off-street parking sites and acquire any property necessary or convenient for that purpose by the exercise of the right of eminent domain ([A.R.S. § 9-276](#)).

## **Provisions**

1. Appropriates \$12,500,000 from the state GF in FY 2024 to ADOT to distribute to the city of Phoenix for improvements on Happy Valley Road between 35<sup>th</sup> Avenue and 67<sup>th</sup> Avenue. (Sec.1)
2. States that the Legislature intends ADOT use any federal monies available for the project to supplement the appropriation and that the city of Phoenix contributes \$14,800,000 to the project. (Sec.1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: TI DP 7-4-0-1

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**HB2586: ADOT dynamic message signs**  
**Sponsor: Representative Carter, LD 15**  
**Caucus & COW**

**Overview**

Requires the Arizona Department of Transportation (ADOT) to only display messages directly related to transportation or highway public safety on ADOT's dynamic message signs. Allows ADOT to display amber alerts, silver alerts and blue alerts.

**History**

[Laws 1973, Chapter 146](#) established ADOT to provide for an integrated and balanced state transportation system with a director responsible for the department's administration ([A.R.S. § 28-331](#)). ADOT has exclusive control and jurisdiction over state highways, state routes, state-owned airports and all state-owned transportation systems or modes are vested in ADOT.

The duties of ADOT are as follows: 1) register motor vehicles and aircraft, license drivers, collect revenues, enforce motor vehicle and aviation statutes and perform related functions; 2) do multimodal state transportation planning, cooperate and coordinate transportation planning with local governments and establish an annually updated priority program of capital improvements for all transportation modes; 3) design and construct transportation facilities in accordance with a priority plan and maintain and operate state highways, state-owned airports and state public transportation systems; 4) investigate new transportation systems and cooperate with and advise local governments concerning the development and operation of public transit systems; and 5) have administrative jurisdiction of transportation safety programs and implement them following applicable law ([A.R.S. § 28-332](#)).

**Provisions**

1. Asserts that ADOT may only display messages directly related to transportation or highway public safety on ADOT's dynamic message signs. (Sec.1)
2. States that ADOT may display amber alerts, silver alerts and blue alerts on the dynamic message signs. (Sec.1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: TI DP 10-0-0-1 | APPROP DP 12-2-0-1

## **HB2623: appropriation; Mohave county substations**

**Sponsor: Representative Biasiucci, LD 30**

**Caucus & COW**

### **Overview**

Appropriates \$10,000,000 from the state General Fund (GF) in FY 2024 to the Arizona Department of Administration (ADOA) to distribute to Mohave County for specified capital improvement projects and exempts the appropriation from lapsing.

### **History**

ADOA is responsible for the direction and control of public buildings maintenance. The direction, operation and control of ADOA is the responsibility of the director of ADOA. Statute requires the director to be appointed by the Governor with the advice and consent of the Senate and must serve at the pleasure of the Governor (A.R.S. §§ [41-701](#), [41-791](#)).

ADOA is considered a building system and must prepare each year a capital improvement plan containing proposals for state spending on land acquisition, capital projects, energy systems, energy management systems and building renewal for the building system ([A.R.S. § 41-793](#)).

### **Provisions**

1. Appropriates \$10,000,000 from the state GF in FY 2024 to ADOA to distribute to Mohave County for capital improvements to the following:
  - a. Lake Havasu substation;
  - b. Boating safety center on Lake Havasu;
  - c. Mohave Valley substation; and
  - d. Beaver Dam substation. (Sec. 1)
2. Exempts the appropriation from lapsing until the capital improvements are accomplished or abandoned unless the appropriation stands for a full fiscal year without an expenditure or encumbrance. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note





# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: TI DPA/SE 10-0-0-1

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**HB2717: communicable disease information; 911 dispatchers**  
**S/E: trauma counseling; 911 dispatchers**  
**Sponsor: Representative Hernandez M, LD 8**  
**Caucus & COW**

## **Summary of Strike Everything Amendment for HB 2717**

### **Overview**

Broadens the traumatic event counseling programs already required for public safety employees, peace officers and firefighters to include 911 dispatchers to receive counseling under the program after experiencing a traumatic event while in the course of duty.

### **History**

This state or a political subdivision of this state is required to establish a program to provide up to 12 visits of licensed counseling which are paid for by the employer and may be provided through telehealth for public safety employers, peace officers and firefighters who are exposed to any one of the following events while in the course of duty:

- 1) visually witnessing the death or maiming or visually witnessing the immediate aftermath of such a death or maiming of one or more persons;
- 2) for peace officers and firefighters, witnessing the death of another peace officer or firefighter while engaged in the line of duty;
- 3) for peace officers and firefighters responding directly or being directly involved in the drowning or near drowning of a child;
- 4) responding to or being directly involved in a criminal investigation of an offense involving a dangerous crime against children;
- 5) for peace officers and firefighters, using deadly force or being subjected to deadly force in the line of duty, regardless of injury to the firefighter or peace officer; and
- 6) requiring rescue in the line of duty where one's life was endangered.

If the licensed mental health care professional decides the firefighter or peace officer needs additional counseling visits beyond the 12 already provided for, the employer is required to pay for up to an additional 24 visits if they occur within one year after the first visit. Statute outlines further requirements for the traumatic event counseling programs. Each state and political subdivision of this state is required to submit specified data collected regarding the traumatic event counseling programs yearly to the Arizona Department of Administration (ADOA), the ADOA is required to compile the data into a report and submit it to specified governmental entities (A.R.S. §§ [38-672](#), [38-673](#)).

### **Provisions**

1. Includes 911 dispatchers in the traumatic event counseling programs this state or political subdivision of this state are already required to provide to firefighters and peace officers who are exposed to any of the specified traumatic events while in the course of duty. (Sec. 2)
2. States that if a licensed mental health professional determines the 911 dispatcher needs additional counseling visits beyond the 12 already provided under the program, the employer is required to pay for up to an additional 24 visits if they occur within 1 year after the first visit. (Sec. 2)

3. Prohibits an employer from requiring a 911 dispatcher who is receiving counseling treatment through the program to use their accrued paid vacation leave, personal leave or sick time if the 911 dispatcher leaves work to attend treatment. (Sec. 2)
4. Requires an employer to ensure a 911 dispatcher has no loss of pay and benefits for up to 30 calendar days per incident if a licensed mental health professional determines that the 911 dispatcher is not fit for duty while receiving treatment and if other specified requirements are met. (Sec. 2)
5. Directs an employer to allow a 911 dispatcher to select their own licensed mental health professional, except if the mental health professional declines to provide counseling under the required traumatic event counseling program. (Sec. 2)
6. Includes 911 dispatchers in the data compiling requirement for traumatic event counseling programs. (Sec. 2)
7. Specifies these requirements do not apply to a state employer that provides a program to its 911 dispatchers that:
  - a. is paid for by the employer;
  - b. provides licensed counseling for any issue. For counseling related to trauma experienced while in the line of duty, the counseling is provided per request of the 911 dispatcher and is in person; and
  - c. the program offers at least 12 visits per year and will offer additional visits if the licensed mental health professional deems them necessary. (Sec. 2)
8. Defines terms. (Sec. 1-2)
9. Makes technical changes. (Sec. 1-2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: TI DP 11-0-0-0 | APPROP DP 14-0-0-1

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**HB2752: appropriation: State Route 85**  
**Sponsor: Representative Peña, LD 23**  
**Caucus & COW**

**Overview**

Appropriates \$6,500,000 from the state General Fund (GF) in FY 2024 to the Arizona Department of Transportation (ADOT) to design and engineer improvements on State Route 85 between mile post 123 and Maricopa Road.

**History**

[Laws 1973, Chapter 146](#) established ADOT to provide for an integrated and balanced state transportation system with a director responsible for the department's administration ([A.R.S. § 28-331](#)). ADOT has exclusive control and jurisdiction over state highways, state routes, state-owned airports and all state-owned transportation systems or modes are vested in ADOT.

The duties of ADOT are as follows: 1) register motor vehicles and aircraft, license drivers, collect revenues, enforce motor vehicle and aviation statutes and perform related functions; 2) do multimodal state transportation planning, cooperate and coordinate transportation planning with local governments and establish an annually updated priority program of capital improvements for all transportation modes; 3) design and construct transportation facilities in accordance with a priority plan and maintain and operate state highways, state-owned airports and state public transportation systems; 4) investigate new transportation systems and cooperate with and advise local governments concerning the development and operation of public transit systems; and 5) have administrative jurisdiction of transportation safety programs and implement them following applicable law ([A.R.S. § 28-332](#)).

**Provisions**

1. Appropriates \$6,500,000 from the state GF in FY 2024 to ADOT to design and engineer improvements on State Route 85 between mile post 123 and Maricopa Road.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: WM DP 6-4-0-0

## **HB 2501: dependent tax credit; additional amount**

**Sponsor: Representative Gress, LD 4**

**Caucus & COW**

### **Overview**

Adds that the dependent tax credit amount allowed may be increased when a dependent is born prorated upon the number of months the taxpayer or taxpayers spouse was pregnant during the previous taxable year.

### **History**

A dependent tax credit for taxpayers is allowed in the following amounts:

<b>Less than \$200,000 for a single person, married filing separately or head of household, and less than \$400,000 for married filing jointly.</b>	
\$100 for each dependent under 17 years old	\$25 for each dependent at least 17 years old
<b>At least \$200,000 for a single person, married filing separately or head of household, and at least \$400,000 for married filing jointly.</b>	
\$100 minus 5% for each \$1,000 by which the taxpayer's FAGI exceeds the applicable threshold for each dependent under 17 years old at the end of the taxable year.	\$25 minus 5% for each \$1,000 by which the taxpayer's FAGI exceeds the applicable threshold for each dependent at least 17 years old at the end of the taxable year.

[\(A.R.S. 43-1073.01\)](#)

### **Provisions**

1. Adds that a taxpayer who is or whose spouse is pregnant may increase their credit amount allowed for the taxable year in which the dependent is born prorated based on the number of months the taxpayer or taxpayers wife was pregnant during the previous year. (Sec.1)
2. Applies effective January 1, 2023. (Sec. 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: WM DPA 10-0-0-0

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**HB 2534: mortgaged property; tax statements; email**  
**Sponsor: Representative Carter, LD 15**  
**Caucus & COW**

**Overview**

Provides the mortgagor the option to receive their property tax statement by email from the county treasurer.

**History**

The county treasurer shall mail a statement of taxes due on the property to the mortgagor at the mortgagor's last known address. The tax statement sent to the mortgagor shall be mailed before November 1 and be a written document. The tax statement shall separately list the following for the current and previous tax years for the property:

- 1) The amount of primary taxes and secondary taxes applicable to the property that is due to each taxing jurisdiction; and
- 2) If applicable, the amount of additional state aid to school districts provided to property classified as class three pursuant to section 42-12003. ([A.R.S. § 42-18054](#))

**Provisions**

1. Allows, on request of the mortgagor, a statement of taxes due on the property to the mortgagor to be transmitted by email.
2. Strikes the requirement that the tax statement must be a written document.

**Amendments**

*Ways & Means Committee*

1. Specifies that the county treasurer must mail the tax statement to the new mortgagor at the address of the property until the new mortgagor requests email delivery of the tax statement.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: WM DP 6-4-0-0

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**[HB 2807](#): TPT; prime contracting; exemption; alterations**  
**Sponsor: Representative Carbone, LD 25**  
**Caucus & COW**

## **Overview**

Modifies the definition of alteration and modification under the prime contracting classification.

## **History**

Statute defines alteration as an activity or action that causes a direct physical change to existing property with separate provisions for residential and commercial property. Also, the law allows for the original contract amount to be exceeded by no more than 25% if the work performed qualifies as an alteration. Modification is currently defined as construction, grading and leveling ground, wreckage or demolition. ([A.R.S. § 42-5075.R.1 and 6](#))

## **Provisions**

1. Defines alteration as an activity or action that causes a direct physical change to existing property and that does not increase the square footage of the existing residential structure under the roof. (Sec. 1)
2. Provides that for all existing property other than existing residential property, that the definition of alteration does not apply if the contract amount is more than \$750,000. (Sec. 1)
3. Defines modification as construction, grading and leveling ground, wreckage, demolition or other activities that increase the square footage of the existing residential structure under the roof. (Sec. 1)
4. Defines *residential*. (Sec.1)
5. Provides an effective date of January 1, 2024. (Sec. 2)
6. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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